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The Other Perpetrators:

Doctors in the Service of Torture during the Brazilian Military Regime

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Report

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Abstract

The Other Perpetrators:

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This report explores the role medical professionals played in state-sponsored torture during the Brazilian military rule. Between 1964 and 1985, counterinsurgency agencies imprisoned an estimated 50,000 people, many of them without a trial, and tortured at least 20,000 suspected of ‘subversive conduct’. Scholars often describe the implementation of torture as the exclusive work of ‘infamous interrogators’ belonging to repressive agencies of the security forces. They were not, however, the sole perpetrators of human rights violations. A large body of medical experts played a significant role in administering and justifying the regime’s mechanism of oppression. While the evidence pointing to these collaborations exists in diverse sources, scholarship dealing with this aspect of regime’s repression is scarce. The report unveils the particular roles of doctors in the torture mechanism, and places their history within two larger historiographical

frameworks. Engaging with literature on Latin America's Cold War, the study traces the history of the National Security Doctrine and examines the final form it took in Brazil in the 1960s and 1970s. It then utilizes the scholarship on torture to contextualize and illuminate the regime's practice of inflicting pain. Finally, the report turns to studies from other disciplines to offer theoretical and conceptual frameworks elucidating professionals' complicity in torture.

Table of Contents

Introduction.....	1
Latin American Cold War	3
Between Perpetrators and Victims	7
Methodology and Sources	10
A Note on Translation and Names	12
Chapter 1. French Theory, U.S. Policy and Brazilian Practice: Cold War and the National Security Doctrine.....	13
Origins of the National Security Doctrine	13
A Escola Superior de Guerra, Golbery do Couto e Silva and the Brazilian National Security.....	19
The Doctrinal Blueprint in Practice	23
Chapter 2. <i>Cadeira do Dragão</i> : From “Barbaric Brutality” to Modern “Humane” Torture	30
Historicizing Torture	30
Modernizing Torture	35
Choque Elétrico.....	38
Medicalized Torture	43
Chapter 3. Integral to the System: Ideology, Just War and Ordinariness.....	50
Ideological Healing	54
Ordinary Tortures.....	58

Conclusion: Toward a Reconceptualization of Victims, Perpetrators and Accountability	62
References.....	66

Introduction

In March 31, 1964, the Brazilian armed forces overthrew the democratically elected government of President João Goulart, establishing a military regime that would rule Brazil for the next twenty-one years. The Brazilian elite and conservative parties strongly supported the military, fearing the growing mobilization of peasants and Goulart's "radical" policies. In the context of a global cold war, the fear of a "leftist revolution" also motivated the U.S. government to covertly intervene and support the coup.¹ Goulart fled into exile in Uruguay, and the military became the bastion of authoritarianism, forming a regime based on the doctrine of National Security. Emphasizing economic development while fighting against "subversive elements" that might threaten the security of the state led to a series of legislative decrees and policing operations that curtailed the civil liberties of Brazilians during the next two decades.

In 1975, an event considered pivotal in the opposition campaign to the regime involved the death of a known journalist in São Paulo. Vladimir 'Vlado' Herzog enjoyed a successful career in the mid-1970s. In addition to writing for the newspaper O Estado de São Paulo, he also served as the director of television station TV Cultura and a lecturer at the School of Communication and Arts of the University of São Paulo. In October 24, 1975, one of the military's counterintelligence agencies (the Department of Information Operations—Center for Internal Defense Operations - DOI-CODI) summoned Herzog for

¹ James Green, *We Cannot Remain Silent: Opposition to the Brazilian Military Dictatorship in the United States* (Durham NC: Duke University Press, 2010), 44-48.

questioning about his alleged connections to the Brazilian Communist Party, which has been declared illegal by the military. A morning after Herzog voluntarily presented himself at the DOI-CODI headquarters, the military declared he had hanged himself to death in his cell, and returned his body to his wife in a sealed coffin. Herzog's family did not accept this official statement, and with the help of São Paulo's religious leaders, provoked a national and international indignation.²

Indeed, subsequent discoveries confirmed that Herzog was tortured to death by DOI-CODI interrogators. Equally important, later evidence revealed that the director of São Paulo's Forensic Medical Institute, Dr. Harry Shibata, has signed Herzog's death certificate—which wrongly stated asphyxia as a cause of death—without examining or even seeing the body.³ Herzog's story, therefore, sheds light on a particular, yet underexamined, facet of state repression in Brazilian historiography; it illuminates the complex relationships between the practice of torture, the medical community and the armed forces that underline the history of repression under the Brazilian military regime. This study explores this apparatus, focusing on the role medical professionals played in state-sponsored torture.

² Audálio Dantas, *As Duas Guerras De Vlado Herzog: Da Perseguição Nazista Na Europa à Morte Sob Tortura No Brasil* (Rio de Janeiro: Civilização Brasileira, 2012).

³ Only thirty-seven years later, the Brazilian National Truth Commission, established in 2011 to investigate cases of human rights violations that took place during the period, unanimously reached a decision to modify Herzog's death certificate, stating his death resulted from the arbitrary violence of the repressive police service of the era. See: Roldão Arruda, "Justiça Determina Mudança no Atestado de Óbito de Vladimir Herzog", *O Estado de São Paulo*, September 24, 2012

Latin American Cold War

Between 1964 and 1985, Brazilian counterinsurgency agencies and state police imprisoned an estimated 50,000 people, many of them without a trial, and tortured at least 20,000 civilians suspected of “subversive conduct”.⁴ Brazil, however, was not the only Latin American country to experience authoritarianism and state-led torture during the Cold War. All through the second half of the twentieth century, military-men and juntas governed more than half of the subcontinent’s states.⁵

Literature dealing with these regimes and their repressive apparatuses is robust, multidisciplinary, and includes diverse theoretical approaches and conceptualizations. The first wave of studies, appearing in the 1970s, offered a plethora of political-science theories. Differentiating the Cold War military regimes from neocolonial caudillo-based rules, scholars focused on the structural and institutional settings that enabled the “breakdown of democracy” and the rise of a new “professional and authoritarian” kind of regimes.

Introducing the concept of “bureaucratic-authoritarian”, Guillermo O'Donnell was the first to provide both an influential theoretical contribution to the study of military rules and a compelling critique of modernization theory, illuminating the pitfalls in the capability of economic development to bring democracy. According to O'Donnell, industrial growth has brought technocrats to assume pivotal roles in private as well as

⁴ Additionally, 475 Brazilians were ‘forcibly disappeared’. See: *Direito à Memória e à Verdade: Comissão Especial Sobre Mortos e Desaparecidos Políticos* (Brasília: Secretaria Especial dos Direitos Humanos da Presidência da República, 2007).

⁵ For example: Guatemala (1963-1985); Ecuador (1963-1966/1972-1978); Honduras (1963-1966/1972-1982); Bolivia (1964-1970/1971-1982); Argentina (1966-1973/1976-1983); Peru (1968-1980); Panama (1968-1989); Chile (1973-1990); Uruguay (1973-1984); El Salvador (1979-1984).

state bureaucracies. In parallel, an attempt to incorporate popular sectors in the economic and political spheres failed, leading to polarization in society, as well as economic problems. Viewing the mobilization of the popular sectors as responsible, traditional elites and military generals became the engine behind coup coalitions, leading to military takeovers.⁶ This led to an authoritarian system navigated by technocrats whose quest for economic development neutralized the popular sectors.⁷

Growing dissatisfaction with the “bureaucratic-authoritarian” paradigm—particularly with its empirical generalizations—have brought social scientists to focus on other aspects pertaining the emergence of Latin America’s authoritarian phase.⁸ New studies have shed light on the impact of the Cold War in bringing military juntas to power, as well as the central role clientele classes played in constructing and enforcing an authoritarian form of capitalist state.⁹ Others have focused on “the emasculation” of the legislative branch and political parties, which resulted in the dependency of traditional elites on alliances with the military and state bureaucrats.¹⁰

⁶ Guillermo A. O’Donnell, *Modernization and Bureaucratic-Authoritarianism: Studies in South American Politics* (Berkeley: University of California, 1973), 100-103

⁷ *Ibid.*, 95.

⁸ See: David Collier, ed., *The New Authoritarianism in Latin America* (Princeton: Princeton University Press, 1979); Karen L Remmer and Gilbert W Merkx, “Bureaucratic-Authoritarianism Revisited,” *Latin American Research Review* 17, no. 2 (1982): 3–40. O’Donnell himself modified his theoretical focus, concentrating on the social impact and particular dynamics of bureaucratic-authoritarian patterns. See Guillermo O’Donnell, “Reflections on the Patterns of Change in the Bureaucratic-Authoritarian State,” *Latin American Research Review* 13, no. 1 (1978): 3–38.

⁹ See, respectively: Alain Rouquié, *The Military and the State in Latin America* (University of California Press, 1987), 224-280; Brian Loveman, *For La Patria: Politics and the Armed Forces in Latin America* (Wilmington, Del.: SR Books, 1999); and Maria Helena Moreira Alves, *State and Opposition in Military Brazil (Latin American Monographs)* (University of Texas Press, 1988), 6.

¹⁰ Fernando Henrique Cardoso, *Autoritarismo e Democratização* (Rio de Janeiro: Paz e Terra, 1975), 202-206.

A considerable attention has been paid to the “new professionalism” model, formed by Alfred Stepan’s analysis of the 1960s Brazilian military. While Samuel Huntington’s classic study of civil-military relations posited that increased professionalism in the military establishment leads a controlled, apolitical armed force,¹¹ Stepan witnessed a highly professional, yet very politicized Brazilian military.¹² In fact, he argued, it was the military’s divisive politics, growing engagement with civic duties and distinct nationalist ideology—shaped in the Brazilian Superior War School (Escola Superior de Guerra - ESG)—that advanced the events leading up to the military coup of 1964.¹³

Stepan, as well as other scholars, have also focused on the impact of the National Security Doctrine on “fragile” democratic nations. While some saw a continuity of nineteenth-century military thought—adhering to concepts of national security and geopolitical domination—that collided with a new industrialized and liberal political environment,¹⁴ others emphasized the changes military ideology underwent over time, the

¹¹ For Huntington, several factors will make a military professional; among them, a military academy for officers, highly articulated doctrines and well-planned training programs. See: Samuel Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations*. (Cambridge: Belknap Press of Harvard University Press, 1957).

¹² Alfred Stepan, “The New Professionalism of Internal Warfare and Military Role Expansion”, in Alfred Stepan, *Authoritarian Brazil: Origins, Policies, and Future* (New Haven: Yale University Press, 1973), 48-53. Karen Remmer provides a comparative study of the policies implemented by several Latin American military governments. See: Karen Remmer, *Military Rule in Latin America* (Boston: Unwin Hyman, 1989).

¹³ Alfred Stepan, “The New Professionalism”, 47-49. Loveman and Davies present a similar analysis to Stepan, but argue for an ‘antipolitics’ foundation at the heart of Latin American military rules. See: Brian Loveman and Thomas M. Davies, *The Politics of Antipolitics: The Military in Latin America* (Lincoln: University of Nebraska Press, 1978).

¹⁴ Frederick M. Nunn, *Yesterday’s Soldiers: European Military Professionalism in South America, 1890-1940* (Lincoln: University of Nebraska Press, 1983).

doctrinal variations between different militaries,¹⁵ and the various interpretation of national security principles among military ideologues.¹⁶

The “cultural turn” and the tendency towards interdisciplinary scholarship influenced scholars to explore other facets of military rules. Abandoning the conventional political science approaches, they delved into the social and psychological underpinnings of regimes and repression. The shift required other conceptual approaches, among them “the culture of fear” framework. Addressing the experiences of populations under military rules, studies focused not only on the deliberate but arbitrary internal terror exercised by regimes, but also on the impact of violence on society. Various works have demonstrated how the effect of state-led torture and large-scale repression extended beyond its immediate victims to instill collective fear, and to create docile, silent and disciplined bodies.¹⁷ Influential in this regard was the emergence of subaltern studies, which has produced important works on the personal experiences of political prisoners under torture, as well as their efforts to resist psychological and physical pain.

¹⁵ Jack Child, “Geopolitical Thinking,” in *The Military and Democracy the Future of Civil-Military Relations in Latin America*, ed. Louis Wolf Goodman, Johanna Mendelson, and Juan Rial (Lexington: Lexington Books, 1990), 143–170.

¹⁶ D. Pion-Berlin, “Latin American National Security Doctrines: Hard and Softline Themes,” *Armed Forces & Society* 15, no. 3 (April 1, 1989): 411–429.

¹⁷ Juan E Corradi, Patricia Weiss Fagen, and Manuel A Garretón Merino, eds., *Fear at the Edge: State Terror and Resistance in Latin America* (Berkeley: University of California Press, 1992); Antonius Robben, “State Terror in the Netherworld: Disappearance and Reburial in Argentina,” in *Death, Mourning, and Burial: a Cross-Cultural Reader* (Malden MA: Blackwell Pub., 2004), 134–149; Diana Taylor, *Disappearing Acts: Spectacles of Gender and Nationalism in Argentina’s “Dirty War”* (Durham: Duke University Press, 1997).

Recent research illuminated human rights violations committed by the militaries as well as the polarization of memory within societies after the return to democracy.¹⁸ Finally, anthropological works, cultural studies, and biographies have focused on the torture experience itself, analyzing not only the physical suffering, but also the political and cultural forces inscribed on the tortured body.¹⁹

Between Perpetrators and Victims

Three decades of scholarship have advanced our understanding regarding the rise of authoritarian military rules in Latin America. Paradoxically, however, little is known about the functionaries that enabled it. For too long, the literature—whether relying on political science, cultural studies or historical analysis—has tended to treat the history of military regimes in oppositional terms. It tells the story of institutions and apparatuses, of “evil” generals who oppress a “victimized” society, or, on the other hand, of daring civilians who resisted, organized and pushed for the return of democracy. This binary

¹⁸ Judy Maloof, *Voices of Resistance: Testimonies of Cuban and Chilean Women* (Lexington: University Press of Kentucky, 1999); Mark Ensalcado, *Chile Under Pinochet: Recovering the Truth* (Philadelphia: University of Pennsylvania Press, 2000); Steve Stern, *Remembering Pinochet's Chile: On the Eve of London, 1998* (Durham: Duke University Press, 2004); João Roberto Martins Filho and Timothy Thompson, “The War of Memory: The Brazilian Military Dictatorship According to Militants and Military Men,” *Latin American Perspectives* 36, no. 5 (2009): 89–107.

¹⁹ Carlos Liscano, *Truck of Fools: A Testimonio of Torture and Recovery*, trans. Elizabeth Hampsten (Nashville, Tenn.: Vanderbilt University Press, 2004); Elaine Scarry, *The Body in Pain: The Making and Unmaking of the World* (New York: Oxford University Press, 1985); Munu Actis et al., *That Inferno: Conversations of Five Women Survivors of an Argentine Torture Camp*, trans. Greta Siebentritt (Nashville, Tenn.: Vanderbilt University Press, 2006); Lina Penna Sattamini, *A Mother's Cry: a Memoir of Politics, Prison, and Torture Under the Brazilian Military Dictatorship*, trans. Rex P. Nielson and James Naylor Green (Durham N.C.: Duke University Press, 2010).

excludes a large and significant middle-ground space in which civilians and military men cooperated interchangeably to facilitate a repressive system.²⁰

My study cut across this binary, proposing a reconceptualization of military regimes' mechanism of repression. Following the lead of recent revisionist studies, it focuses on the professionals that operated and wielded the interface of torture during the Brazilian military regime.²¹ Despite literature that has described the implementation of torture as the exclusive work of 'infamous interrogators' belonging to counterinsurgency units, they were not the sole perpetrators of coercive interrogations.²² A large body of medical experts played a significant role in administering and justifying the regime's mechanism of oppression. These were psychiatrists who examined detainees to determine their 'weak points'; coroners who falsified medical reports to conceal evidence of illegal executions; and physicians who not only advised torturers of how to inflict pain efficiently but also treated detainees to enable further torture.

Trained to minimize suffering, doctors are ethically committed to preserve human life. If viewed as representative of the white-collar sector, they can also be understood as part of middle-class professionals who were polarized by the political climate. Health

²⁰ Maria Helena Moreira Alves' analysis of "state vs. opposition" is paradigmatic of this dichotomous approach. See: Alves, *State and Opposition in Military Brazil*.

²¹ Martha Knisely Huggins, Mika Haritos-Fatouros, and Philip G. Zimbardo, *Violence Workers: Police Torturers and Murderers Reconstruct Brazilian Atrocities* (Berkeley: University of California Press, 2002). Vasconcelos has offered an interesting integration between an analysis of the authoritarian nature of the regime and the memory of violence. See: José Gerardo Vasconcelos, *Memórias Da Saudade: Busca e Espera No Brasil Autoritário* (São Paulo: Annablume, 2000).

²² See Skidmore's treatment of torture in: Thomas E. Skidmore, *The Politics of Military Rule in Brazil, 1964-1985* (New York: Oxford University Press, 1988), 168, 176, 185-186; or Alves' analysis in: Alves, *State and Opposition in Military Brazil*, 124-128. Similarly, Fon's focus on military generals in: Antonio Carlos Fon, *Tortura: A História da Repressão Política no Brasil* (São Paulo: Editora Parma, 1979), 27-33

care professionals committed to social reform, for example, suffered directly from or under the regime's repressive infringements on civil liberties, and were key actors in the movement for redemocratization. As this study demonstrates, however, others were integral and essential to the mechanism of torture, whether out of ideological conviction or professional opportunism.

Offering an alternative prism through which to examine military regimes and their mechanism of torture, this study develops through three lines of inquiry to elucidate the roles these interlinked professionals played to facilitate the repressive system. The first analytical layer presents a historical analysis of the National Security Doctrine. I examine the doctrine's French ideological roots, the role of U.S. Cold War policies in shaping its principles, and the final form and practice it took in Brazil in the 1960s and 1970s.

The study then explores the use of torture as a product of the National Security ideology. Employing a *longue durée* approach, I historicize the practice of torture, elaborating on the early twentieth-century transition to a "modern", state-led torture aimed to eliminate "subversives". Attention is paid to the introduction of medical professionals and medical procedures into the process of inflicting pain. Here, I concentrate on the role Brazilian doctors played in torture sessions and detention centers. Finally, the study concludes with a theoretical discussion of the political, ideological and social environments that can make "ordinary" professionals collaborate with torture.

Methodology and Sources

The last phase of the military regime was a time of a gradual and controlled liberalization process called *Abertura* (1979-1985). As part of this political and social opening, President João Figueiredo enacted the Amnesty law of 1979.²³ The law included a blanket amnesty to political exiles and former activists and oppositionists found guilty in military courts.

Former political prisoners were a main group that sought to petition for amnesty after the enactment. Since 1965, twenty-one military courts located throughout the country were the main theater for the military authorities to prosecute these activists. In most cases, the court found them guilty of political crimes against ‘National Security’.²⁴ To prepare the appeals for amnesty, the military authorities granted lawyers access to the records of trials conducted by the Supreme Military Court (Superior Tribunal Militar; STM), located in the capital Brasília.²⁵

The unlimited access was not only essential for the petitions; it also created a unique opportunity to uncover the mechanism of the military “justice” system, and consequently, its apparatus of oppression. A small group, led under confidentiality by São Paulo’s Cardinal Archbishop Paulo Evaristo Arns, Presbyterian minister Jaime Wright, and a few devoted lawyers, secretly copied all the records of cases processed in the STM between 1964 and 1979. A handpicked team then stored the documents in a safe

²³ Lei da Anistia, nº 6.683 (August, 28, 1979)

²⁴ This was the result of Institutional Act No.2, which transferred jurisdiction over national-security crimes to the military justice system. See: Anthony Pereira, *Political (In)Justice: Authoritarianism and the Rule of Law in Brazil, Chile, and Argentina* (Pittsburgh, PA.: University of Pittsburgh Press, 2005), 201.

²⁵ This court served as the higher military court of appeal and consisted of ten active-duty, senior military officers and five civilians. See: Ibid., 75-76.

house, and organized them into a meticulously analyzed collection. The result, a reproduction of 707 trial records extending over million pages, was named *Brasil: Nunca Mais* (hereafter; BNM). It remains today one of the most important troves of documentation of the military rule.²⁶

Among the 7,367 charged defendants documented in BNM are 1,843 denunciations of torture.²⁷ While past studies examined these records in order to expose both the repressive military justice system and the methods of state-led torture, I analyze them differently, extracting data on the so-called “secondary perpetrators” appearing through the depositions, namely medical professionals. A quantitative and qualitative analysis of references to doctors made in cases illuminates patterns concerning their roles in coercive interrogations and offers particular insights into the level of their cooperation with the mechanism of torture.²⁸

One must acknowledge the limitations of this methodology. First, BNM contains trials processed only in the regime’s supreme military court, thus overlooking all cases conducted at the lower, district levels. Second, cases analyzed in this paper do not

²⁶ For an account of the BNM operation, see: Lawrence Weschler, *A Miracle, a Universe: Settling Accounts with Torturers* (New York: Pantheon Books, 1990), 16-40. In addition to the complete collection, the BNM team created a 12-volume analyzed summary of the documents called *Projeto A*. This collection of 6900 pages contains excerpts from the court cases according to different categories, such as ‘the detainees’, ‘the tortured’, ‘the dead’ etc. *Projeto A* also presents processed data such as the number of prisoners passed through the military courts, the number of people charged, of the tortured, and the disappeared. BNM team later summarized the collection into a short and accessible book that has been since published in more than 37 editions. See: Arquidiocese de São Paulo, *Brasil: Nunca Mais* (Petrópolis: Vozes, 1985). And the English version: Jaime Wright, tran., *Torture in Brazil: a Shocking Report on the Pervasive Use of Torture by Brazilian Military Governments, 1964-1979, Secretly Prepared by the Archdiocese of São Paulo* (Austin, TX: University of Texas Press, 1998).

²⁷ We should acknowledge, however, that this figure does not reflect all the instances when defendants suffered torture, but rather those when defendants decided to declare in front of high-ranking military judges that they have been tortured.

²⁸ In analyzing the trials in BNM, I have used *The United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment*’s definition of torture. See page 30 in this paper.

represent a controlled sample of the trials. Quantitative hypotheses, therefore, will not be presented. To complement this, I also rely on reports on torture and doctors published by human rights organizations during the period, newspaper articles, intelligence reports and personal memoirs. Finally, to provide historical context and theoretical settings in addition to the empirical analysis, I draw on a multidisciplinary and varied body of literature concerning the Cold War, national security ideology, torture, medical collaboration and complicity with human rights violations.

A Note on Translation and Names

All translations from Portuguese are by the author unless cited otherwise. When analyzing torture denunciation provided in court cases, I have decided to change the names of the victims to protect their anonymity.

Chapter 1. French Theory, U.S. Policy and Brazilian Practice: Cold War and the National Security Doctrine

Origins of the National Security Doctrine

A new type of armed conflict appeared after the Second World War. First to experience a “revolutionary war” in Indochina and Algeria in the 1940s and 1950s, French military strategists were surprised by an ‘enemy’ that avoids the conventional battlefield. They were facing an armed and clandestine organization, which, as they believed, did not aim for the traditional strategic military victory but rather a replacement of the established authority with a new regime.²⁹ More than disregarding the definition of a battlefield, the “radical” organization conducted its revolutionary warfare in the political, psychological and military spheres.

Determining the frontier of the modern warfare to be ideological rather than physical, French Colonel Roger Trinquier saw this “enemy” as an aggressor who “tries to exploit the internal tensions of the country attacked—ideological, social, religious, economic—any conflict liable to have a profound influence on the population to be conquered”.³⁰ The definition of “the aggressor”, however, included not only the armed group for Trinquier, but also the political party through which, he believed, hostilities are developed and promoted.

²⁹ Genaro Arriagada Herrera, “National Security Doctrine in Latin America,” trans. Howard Richards, *Peace & Change* 6, no. 1/2 (1980): 53.

³⁰ Roger Trinquier, *Modern Warfare: A French View of Counterinsurgency* (London: Pall Mall Press Ltd., 1964), 6

In order to achieve victory, Trinquier asserted, both the armed and the political apparatuses of the “subversive” organization—i.e. the communist party—must be destroyed.³¹ Putting forward a comprehensive military strategy to take on this aim, he introduced two new establishments: an intelligence agency, which will trace and uncover the activity of the clandestine insurrectionary body; and a counterinsurgency ‘action service’, which will utilize the intelligence-analyzed information to apprehend “the subversives”. Social control was essential as well, Trinquier claimed. Imposing curfews and carrying out massive arrests will create a hierarchical and disciplined society, which, as he believed, would facilitate a quick and easier discovery of the revolutionary rebels. His strategy included more than military tactics, however. In order for both the intelligence and counterinsurgency institutions to work without restrictions, the governing authority would need to amend its legal framework and adjust the judicial system, he suggested.³²

The French military quickly embraced Trinquier’s Modern Warfare during the Algerian War. Soon, his model of “counterinsurgency war” found its way into other theaters, influencing the United States formulation of Cold War policies.³³ Rethinking its concepts of national security vis-à-vis the new “Soviet Communist threat”, the Truman administration implemented a reform in the country’s defense strategy. Drawing from

³¹ Trinquier, *Modern Warfare*, 26-28.

³² Ibid., 33-38

³³ The U.S. Army’s Command and General Staff College republished Trinquier’s book in 1985. See: Roger Trinquier, *Modern Warfare: A French View of Counterinsurgency* (Fort Leavenworth, Kan.: Command and General Staff College, 1985)

the French military thought, the 1947 National Security Act reorganized the armed forces, foreign policy and the intelligence community apparatus, founding the National Security Council.³⁴ Yet Truman's advisers saw the communist threat spreading not only outside the country. They feared from a domestic uprising. The establishment of the Central Intelligence Agency—shielded from congressional oversight—extended the power of the executive branch, and allowed for covert, non-accountable operations beyond and within the lines of territorial defense. Numerous studies have examined the ramifications of these reforms on the lives of North Americans, starting with the infamous blacklists of the House Committee on Un-American Activities and to Senator Joseph McCarthy's Permanent Subcommittee on Investigations.³⁵

Fear of the “red threat” has influenced U.S. foreign policy as well. Seeking to contain communist expansionist aspirations and maintain the fragile geopolitical balance between ‘east’ and ‘west’, the Truman Doctrine and the following Eisenhower administration provided economic and military aid to Greece and Turkey in 1946-47, led the support for South Korea in 1950 and orchestrated the 1953 Iranian coup d'état. In Latin America, both Eisenhower and the Kennedy administrations sought to refrain from large-scale military interventions. Instead, they provided financial and military aid, while carrying out covert operations, such as the overthrow of Guatemalan

³⁴ J Patrice Mcsherry, “The Evolution of the National Security State: The Case of Guatemala,” *Socialism and Democracy* 6, no. 1 (1992): 128.

³⁵ On the Cold War influence on U.S. domestic issues, see: Mary Sperling McAuliffe, *Crisis on the Left: Cold War Politics and American Liberals, 1947-1954* (Amherst, MA: University of Massachusetts Press, 1978).; Thomas Patrick Doherty, *Cold War, Cool Medium: Television, Mccarthyism, and American Culture* (Columbia University Press, 2003); Robert Griffith, *The Politics of Fear: Joseph R. McCarthy and the Senate* (Univ of Massachusetts Press, 1987); David M. Oshinsky, *A Conspiracy So Immense: The World Of Joe McCarthy* (Oxford University Press, 1983).

President Arbenz in 1954 and the Bay of Pigs Invasion in 1961, all intended to eliminate any (mostly imagined) possibility for a communist takeover.³⁶

In 1947, nineteen American countries signed the Inter-American Treaty of Reciprocal Assistance (the Rio Pact), establishing a mutual security agreement. Declaring that “an armed attack by any State against an American State shall be considered as an attack against all the American States”, the treaty aimed to create a hemispheric defense network that would express an all-encompassing, South and North American commitment against communism.³⁷ As an incentive, U.S. government increased its military aid to the subcontinent, which rose from \$200,000 in 1952 to \$34.5 million in 1954.³⁸

In addition to efforts in the economic and geopolitical spheres, U.S. governments played an active role in preparing Latin American militaries for a possible communist revolution. At The School of the Americas (SOA), a training center founded in 1946 at Fort Gulick in the Panama Canal Zone, Latin American military officers learned about intelligence gathering, French-American ‘modern warfare’ theory, counterinsurgency models, and later, as declassified army manuals revealed, coercive-interrogation methods such as torture.³⁹ More than sixty thousands soldiers participated in SOA programs,

³⁶ Lee Edwards, “Congress and the Origins of the Cold War: The Truman Doctrine,” *World Affairs* 151, no. 3 (1989): 131–133.

³⁷ The Inter-American Conference for the Maintenance of Continental Peace and Security, “Inter-American Treaty of Reciprocal Assistance”, September 2, 1947 Article 3

³⁸ Louis W. Goodman and Johanna S. R. Mendelson, *Military and Democracy: The Future of Civil-Military Relations in Latin America* (Lexington, MA: Lexington Books, 1989), 125.

³⁹ Dana Priest, “U.S. Instructed Latins On Executions, Torture; Manuals Used 1982-91, Pentagon Reveals,” *The Washington Post*, September 21, 1996.; Charlene Van Dijk, *Torture Is Un-American: The*

including some of the most notorious Latin American generals of the Cold War.⁴⁰ In Brazil, the human rights organization Turtura Nunca Mais identified more than twenty Brazilian SOA graduates who played a significant role in repressive operations during the military rule.⁴¹

The Cuban Revolutionary government's turn to socialism only increased U.S. fear from other communist-inspired insurrections in the region. In response, the Kennedy Administration conceived a program aimed at bringing political and economic stability to Latin American states. In 1961, the Inter-American Economic and Social Council of the Organization of American States (OAS), led by Kennedy and Brazilian President Kubitschek, met in Punta del Este, Uruguay, where all members of OAS (excluding Cuba) signed the charter for the Alliance for Progress.⁴² The plan included a \$20 billion, 10-year U.S. commitment for Latin American development, in addition to an \$80 billion investment from other Latin American governments, the world's industrial nations, and international financial institutions.⁴³ Called the "Marshall Plan" of the Southern Cone, the

SOA and Its Devastating Legacy (Council on Hemispheric Affairs, 2006), accessed April 20, 2013 <http://www.coha.org/torture-is-un-american-the-soa-and-its-devastating-legacy/>.

⁴⁰ Among them, the Argentine General Roberto Viola (convicted of murder, kidnapping and torture during Argentina's Dirty War) and the Panamanian military governor Manuel Noriega (convicted of murder, drug trafficking and money laundering). See: Lesley Gill, *School of the Americas: Military Training and Political Violence in the Americas* (Durham, NC, USA: Duke University Press, 2004), 6.

⁴¹ Six testimonies in *Brasil: Nunca Mais* collection link Clemente José Monteiro Filho, a colonel in the Brazilian navy intelligence center (O Centro de Informações da Marinha- CENIMAR), to torture-based interrogations. Other testimonies point to SOA graduate Captain Paulo Magalhães, who led torture investigations under the army intelligence center (Centro de Informações do Exército – CIE). See: Grupo Tortura Nunca Mais - RJ, *Análise De Instrutores e Alunos Brasileiros Da "School of Americas"* (Rio De Janeiro, 1999).

⁴² Stephen G. Rabe, "Controlling Revolutions: Latin America, the Alliance for Progress, and Cold War Anti-Communism," in *Kennedy's Quest for Victory: American Foreign Policy, 1961-1963*, ed. Thomas G. Paterson (New York: Oxford University Press, 1989), 106.

⁴³ Jeffrey Taffet, *Foreign Aid as Foreign Policy: The Alliance for Progress in Latin America* (Hoboken: Taylor and Francis, 2011), 5.

Alliance allocated funds to invest in infrastructure and industrialization. Brazil, together with Chile, the Dominican Republic and Colombia, received the majority of funds – almost 60 percent of all U.S. funding.⁴⁴

Instead of promoting military interventions, the Alliance focused on “social-progress” programs and called for cuts in military spending.⁴⁵ The continent’s armed forces, however, maintained their vital role. As an alternative for defending-borders strategy, they actively led domestic civic-action programs and socioeconomic-improvement campaigns. These aimed to promote popular support for the state, while at the same time deterring communist appeal. Soldiers took an active role in providing medical health care and installing sanitation facilities in remote areas; building schools and creating literacy trainings, and even deforesting lands for agricultural development purposes.⁴⁶

Enthusiasm for the Alliance quickly waned. U.S. involvement in Vietnam, the costs of Great Society programs and domestic unrest changed priorities for Johnson’s Administration. It dismantled much of the infrastructure of Alliance programs, before the Nixon administration finally terminated the initiative in 1972, transferring its remaining active programs to the authority of the Agency for International Development (AID).⁴⁷

⁴⁴ Brazil alone received \$1.833 billion in economic aid between 1961 and 1969. See: Ibid., 7 and 95-96.

⁴⁵ A common assumption was that the Alliance program was also saturated with intelligence gatherers. See: James Green, *We Cannot Remain Silent: Opposition to the Brazilian Military Dictatorship in the United States* (Durham NC: Duke University Press, 2010), 7.

⁴⁶ L. Ronald Scheman, ed., *The Alliance for Progress: A Retrospective* (New York: Praeger, 1988), 8-11.

⁴⁷ After Goulart assumed the presidency in 1961, U.S. policymakers feared that his sympathy for the poor and the relations with labor unions might create the conditions for a Communist overthrow. After failing to

The Alliance did not achieve its goals, yet it was rather significant in advancing the politicization of Latin American militaries, providing a framework through which armed forces could increase their engagement with domestic affairs. Militaries' duties now encompassed civil, economic, political and social responsibilities. The process, therefore, had tremendous impact in redesigning the military's core principles of national defense strategy, shifting the emphasis on protecting the country from its external enemies to focusing on internal security.

United States' Cold War-principles of national security —rooted in French counter-subversive theories—have been exported to Latin America through treaties, financial aid and military training.⁴⁸ While these efforts encouraged (and often assisted in) the implementation of National Security States in the Southern Cone, it was Latin American officers who elaborated and reshaped the doctrine, adjusting its modalities to local circumstances and conditions.

A Escola Superior de Guerra, Golbery do Couto e Silva and the Brazilian National Security

The commitment of the Brazilian military to civil society was not limited to projects implemented under the Alliance for Progress. The Superior War School (Escola

control his plans through restrictive aid loans, U.S. government froze the Alliance funding, which set conditions for the military takeover. During the military rule, Alliance funds strengthened an authoritarian government and violation of human rights, in Brazil as well as in Chile and Argentina. Taffet, *Foreign Aid as Foreign Policy: The Alliance for Progress in Latin America*, 7-8, 175-177 and 185-194.

⁴⁸ J Patrice Mcsherry, "The Evolution of the National Security State: The Case of Guatemala," *Socialism and Democracy* 6, no. 1 (1992): 124.

Superior de Guerra - ESG), for example, served as a main vehicle through which the military expanded into civilian domains. Established in 1949, the ESG prepared its graduates to perform executive and advisory functions in the military as well as in state bureaucracy.⁴⁹ Its curriculum offered courses in social science and economy, along with intelligence and counterintelligence theories.

Since the 1950s, civilians began to attend the school's programs. Engaging with civilian elites in intellectual debates regarding the Brazilian society and its "illnesses", military officers reconceptualized their role as "guardians of democracy", responsible for not only the country's defense, but also its social and economic stability. The civil-military relations within the ESG also socialized civilians to rethink issues of national affairs, linking domestic policies to national-security concerns.⁵⁰ Interestingly, civilians were certainly not a minority in ESG; in 1966 for example, 599 of the school's graduates were military officers, but another 300 were government officials, in addition to 23 federal or state judges. Another 224 graduates came from private industrial companies and the commerce sector.⁵¹ Considering that a majority of these graduates occupied significant posts within the state's political and economic bureaucracies, it is important to dwell on the principles taught at the Escola Superior de Guerra, as they shed light on government and military actions after the 1964 coup.

⁴⁹ Stepan, "The New Professionalism", 54

⁵⁰ Benjamin Cowan, "Sex and the Security State: Gender, Sexuality, and 'Subversion' at Brazil's Escola Superior De Guerra, 1964-1985," *Journal of the History of Sexuality* 16, no. 3 (2007): 461-462.

⁵¹ Stepan, "The New Professionalism", 54. In addition, 107 graduates came from various civic professional sectors, including professors, economists, medical doctors and Catholic clergy. Figures cited in Stepan; originally obtained from Glauco Carneiro, "A Guerra de 'Sorbonne'" *O Cruzeiro*, June 24, 1967, p. 20

Attending the U.S. Army Command and General Staff College at Fort Leavenworth—where Trinquier’s Modern Warfare was taught—and serving as an intelligence officer in the Brazilian Expeditionary Force during the Second World War, General Golbery do Couto e Silva had an extensive experience with Cold War theory, as well as superb military and civil education. As was Trinquier for French military strategy, so was Couto e Silva for the Brazilian military thought and national politics. In his *Aspectos Geopolíticos do Brasil* (1957) and the later influential *Geopolítica do Brasil* (1967), he laid the foundations for the Brazilian National Security Doctrine, arguing that Brazil holds a vital position in the “Western Alliance” against communism.⁵²

Influenced by the European ‘geopolitics’ paradigm, Couto e Silva encouraged a rethinking of Brazil’s international relations and concepts of national power. In contrast to European thinkers, however, expansionist objectives were not a top priority for him.⁵³ His main concern was the “interior frontier”. Latin American geopolitics ideology linked domestic affairs to national power. The state morality, religion, tradition, sociopolitical views, as well as economic and productive strength, were all tied to the “nation’s power”.⁵⁴ Similarly, Couto e Silva emphasized internal durability and economic stability as primary factors for Brazil’s continental aspirations. In the heydays of the Cold War,

⁵² Golbery do Couto e Silva, *Aspectos Geopolíticos Do Brasil* (Rio de Janeiro: Biblioteca do Exército, 1957); Golbery do Couto e Silva, *Geopolítica Do Brasil* (Rio de Janeiro: J. Olympio, 1967).

⁵³ Although he did call for a political and economic domination over the heartland of the subcontinent, consisting of Brazilian state of Mato Grosso, eastern Paraguay and southeastern Bolivia. See: John Child, “Gopolitical Thinking in Latin America,” *Latin American Research Review* 14, no. 2 (1979): 90-92.

⁵⁴ David R. Mares, “The National Security State,” in *A Companion to Latin American History* (Oxford: Wiley-Blackwell, 2011), 390.

and particularly following the successful overthrow of the Batista regime in Cuba, Couto e Silva worried from the possibility of a communist revolution developing to a civil war and damaging Brazil's national power and prospect growth. For him, this specter was a pressing issue to confront. Therefore, while the French focused on limited warfare in the distant Algerian territory and U.S. government emphasized a global, total war, Couto e Silva highlighted the great threat of internal subversion.⁵⁵

A pressing issue demanded pressing measures. National security threats justified the curtailment of civil liberties, Couto e Silva maintained. Restrictions of constitutional guarantees and limitations on civil rights were viewed as instruments to sustain national strength and geopolitical influence. In addition, he advocated for an efficient surveillance and information-gathering agency, vital in the identification and neutralization of internal opposition activities.⁵⁶ The similarity to Trinquier's counterinsurgency models was not a coincidence. Perhaps less prevalent within the French model, however, yet strongly associated with U.S. Cold War visions, was the link between national development and security. Influenced by his training at Fort Leavenworth, Couto e Silva believed the geopolitical standing of the nation depends on its ability to efficiently use its resources to advance economic growth.

⁵⁵ Alves, *State and Opposition in Military Brazil*, 13.

⁵⁶ Golbery do Couto e Silva, *Conjuntura Política Nacional: o Poder Executivo & Geopolítica Do Brasil*, 3.a ed. (Rio de Janeiro: J. Olympio, 1981), 230, 240-247. It should be noted that Couto e Silva was more pragmatic than other, hardline-generals, stating that beyond certain limits, the loss of liberties will create a loss of security.

Couto e Silva and his colleagues at the Escola Superior de Guerra—where he had served as a professor since 1952—formulated this geopolitical and internal security theory, disseminating it through the school’s well-developed education and publication system.⁵⁷ Emphasizing internal and counterinsurgency defense strategies as well as national industrial development, they created a National Security Doctrine that has guided the authoritarian regime in its legislative, economic and security policies since its seizure of power.⁵⁸

The Doctrinal Blueprint in Practice

Different manifestations of National Security Doctrines appeared in Latin America during the Cold War. Its principles and ways of implementation have changed according to local circumstances; levels of civil unrest and opposition; military’s professionalism; and intramilitary conflicts between “hard and soft-line” ideologues.⁵⁹ In Brazil, military governments implemented the doctrinal principles through “institutional acts” and legislative decree-laws, which along with hampering civil liberties provided a

⁵⁷ For an analysis of the ESG’s textbooks (Manual Básicos), see: Ananda Simões Fernandes, “A Reformulação Da Doutrina De Segurança Nacional Pela Escola Superior De Guerra No Brasil: a Geopolítica De Golbery Do Couto e Silva,” *Antíteses* 2, no. 4 (2009): 836-850.

⁵⁸ Maria Helena Alves has analyzed ESG’s Básico, demonstrating the importance of NSD principles within the regime’s technocrat sphere. See: Alves, *State and Opposition in Military Brazil*, 13-14. On the other hand, Stpan has argued that by the 1970s, the ESG lost considerable influence, although remaining the “authorized source of military ideology”. See: Alfred Stepan, *Rethinking Military Politics: Brazil and the Southern Cone* (Princeton N.J.: Princeton University Press, 1988), 47.

⁵⁹ D. Pion-Berlin, “Latin American National Security Doctrines: Hard and Softline Themes,” *Armed Forces & Society* 15, no. 3 (1989): 412–416.

supporting legal framework for a the operation of a sophisticated counterinsurgency network.

Immediately after the 1964 coup, President Castelo Branco established the National Intelligence Service (Serviço Nacional de Informações - SNI), naming Golbery Couto e Silva as its first director.⁶⁰ Embracing the counter-subversion model developed in ESG, Couto e Silva designated SNI to organize, coordinate and supervise the various intelligence and counterintelligence agencies within the national security apparatus.⁶¹ Although defined as an “advisory” agency for the executive branch, the SNI maintained an almost autonomous status, and enjoyed a meaningful political power, answering only to the National Security Council and the president himself. It is not surprising, then, that Emílio Médici and João Figueiredo, the last two heads of the military government, served as SNI directors prior to their presidencies.⁶²

Under the SNI umbrella were the various intelligence agencies of the armed and police forces. They undertook information-gathering of subversive activity, but they also carried out surveillance tasks and coercive interrogations through their secret operational units, among them the Intelligence Centers of the Navy (CENIMAR), the army (CIE) and the air force (CISA).⁶³ Most of the repression, however, was orchestrated by the Operational Command for Internal Defense (Centro de Operações de Defesa Interna –

⁶⁰ Lei nº 4.341, (June 13, 1964)

⁶¹ Rubim Santos Leão de Aquino, *Um Tempo Para Não Esquecer: 1964-1985* (Rio de Janeiro: Consequência, 2010), 30.

⁶² Carlos Fico, *Como Eles Agiam. Os Subterrâneos Da Ditadura Militar: Espionagem e Polícia Política* (Rio de Janeiro: Editora Record, 2001), 81-100.

⁶³ More on O Centro de Informações da Marinha (CENIMAR), O Centro de Informações do Exército (CIE) and O Centro de Informações de Segurança da Aeronáutica (CISA) in: Alves, *State and Opposition in Military Brazil*, 129-130.

CODI), operating under the second army battalion. The CODI coordinated counterinsurgency operations implemented by its taskforce unit, the Department of Information and Operations (Destacamento de Operações de Informações - DOI). In short, DOI-CODI served as both an investigative and assault force, and maintained bureaus in each region of the country.⁶⁴

In addition to the armed force centers, the (federal or state-level) Political Police (O Departamento de Ordem Política e Social - DOPS), was in charge of repressing political and social movements opposing the regime. One of the most notorious counterinsurgency units working under the political police was São Paulo's DEOPS. Led by Sérgio Fleury, it essentially served as a death squad, executing not only "subversives" but also "ordinary" criminal suspects, such as drug dealers.⁶⁵ Overall, with military and state police forces, paramilitary organizations, and special federal police units, the regime's security apparatus was vast and intricate, employing hundreds of thousands of men whose roles and missions frequently overlapped.⁶⁶

⁶⁴ Fico, *Como Eles Agiam. Os Subterrâneos Da Ditadura Militar: Espionagem e Polícia Política*, 115-122. The first CODI was established in 1970 in São Paulo to replace OBAN (Operação Bandeirante). See footnote 66.

⁶⁵ The state political police was named DEOPS (Departamento Estadual de Ordem Política e Social). See: Skidmore, *The Politics of Military Rule in Brazil, 1964-85*, 25, 129. For a clear diagram of the various units within the intelligence and security apparatus, see: Alves, *State and Opposition in Military Brazil*, 130. For Fleury's actions and other death squads operating in Brazil during that time see: *Report on Allegations of Torture in Brazil* (New York: Amnesty International of the U.S.A., 1972), 27-30.

⁶⁶ Operation Bandits (Operação Bandeirante - OBAN), was a paramilitary, extra-legal organization established in 1969 in São Paulo by members of the civil and military police. At first financed by private and corporate entities such as Ford, GM and Grupo Camargo Corrêa, it was taken over by the military apparatus in 1970. See: Martha Knisely Huggins, Mika Haritos-Fatouros, and Philip G. Zimbardo, *Violence Workers: Police Torturers and Murderers Reconstruct Brazilian Atrocities* (Berkeley: University of California Press, 2002), 72-74. According to Alves, all together the military and paramilitary forces accounts 457,550 men. This number is unrepresentative however, as it excludes employees of the intelligence services. See: Alves, *State and Opposition in Military Brazil*, 131.

The immense security activity required legal accommodation. Mostly through “decree-laws”, the military governments implemented a comprehensive reform during the first six years of the military rule, restructuring the legal system as well as the federal administrative and bureaucratic structure.⁶⁷ First, Castelo Branco’s government bolstered the National Security Council’s power within the governmental hierarchy. Founded in 1927, the council had been given now the task of advising the executive branch on national security issues, which included not only interior public security matters but also national policy planning. In addition, it had supervised all the security bodies.⁶⁸ Accompanying the legislative measures, the government established a ten-year plan for economic and social development (Plano Decenal de Desenvolvimento Econômico e Social), which aimed to reduce inflation and expand exports.⁶⁹

In 1967, President Castelo Branco signed the first Decree-Law of National Security. Lecturing in front of students in the Escola Superior de Guerra at the day of the enactment, he explained that

The concept of national security is very comprehensive. It comprises from all foundations of defense, including psychosocial aspects, the preservation and development of domestic political stability...[it] takes into account internal aggression much more explicitly than the notion of defense, considering ideological infiltration and subversion [...]⁷⁰

⁶⁷ Decreto-Lei de Segurança Nacional, n° 200 (February 25, 1967) dealt with “the organization of the Federal Administration, establishing guidelines for administrative reform and other measures”.

⁶⁸ Article 40 of Decreto-Lei n° 900 (September 29, 1969) officially determined the national security council as the president’s highest advising body for the formulation and implementation of the national security policy.

⁶⁹ Skidmore, *The Politics of Military Rule in Brazil, 1964-85*, 58-60 .

⁷⁰ Castelo Branco’s lecture at ESG on March 13, 1967. See: Mário Pessoa, *O Direito Da Segurança Nacional*. (São Paulo: Editora Revista dos Tribunais, 1971), 147.

The Decreto-Lei de Segurança Nacional, therefore, aimed to facilitate security against internal threats. It obligated all citizens to embrace its principles, stating that “every individual or juridical entity is responsible for national security, within the limits defined by the law”.⁷¹ Yet the law’s provisions only vaguely defined the acts that infringed “national security.” The lack of specific definitions to that category allowed for the military court system to indict any suspected individual with violations related to national security. Over half of the charges in court case collected in Brazil: Nunca Mais, for example, were for participation in groups “opposing the regime”: 43 percent of the lawsuits concerned “membership in a banned organization” and another 11.7 percent dealt with “participation in a group or a mass movement.” Interestingly enough, only 12.5 percent concerned violent or armed action, demonstrating how most of the trials were political, aimed to intimidate dissenters and potential critics.⁷²

1968 witnessed an increase in opposition to the regime. A series of student protests erupted in Rio de Janeiro, escalating violently. Demonstrations then expanded to Salvador as well as Porto Alegre. Large-scale labor strikes, which began with metalworkers occupying a factory in Minas Gerais, were on the rise as well. These protests, in addition to a congressional crisis—sparked by congressman Márcio Moreira Alves who delivered a series of speeches denouncing torture—aroused the hardline faction of the military.

⁷¹ See article 1 of Decreto-Lei N° 314 (March 13, 1967).

⁷² Pereira, *Political (In)Justice: Authoritarianism and the Rule of Law in Brazil, Chile, and Argentina*, 76.

In response, President Costa e Silva issued Institutional Act No. 5 (Ato Institucional Número Cinco – AI-5) on December 13, 1968. Virtually declaring a state of siege in the country, AI-5 led to a period during which repression peaked. The Act granted the military executive unilateral power to close the national congress; intervene in states; cancel the electoral mandate of members of the legislative or executives branches; suspend political liberties of citizens; confiscate private property for state use; and annul the guarantee of habeas corpus. It also gave the military court system the authority to conduct trials of political crimes with no judicial recourse for defendants.⁷³ As these measures illustrate, the implications of this so-called “coup within a coup” were fundamental in terms of curtailing the legal and civil rights of Brazilian citizens.⁷⁴

The violence exercised by counterinsurgency agencies reached unprecedented levels from 1969 to 1974. First, their significant autonomy bedeviled attempts to supervise their activities. The issuing of AI-5 only strengthened their (extra) legal power, granting all counterintelligence forces free rein to search and eliminate any threats to national security. Second, internal tensions and enmities between the various agencies, and particularly between the civil and military police forces, resulted not only in

⁷³ Alves, *State and Opposition in Military Brazil*, 95-96; Skidmore, *The Politics of Military Rule in Brazil, 1964-85*, 81-83.

⁷⁴ After opposition to the regime increased in 1969, with venturesome activity of several urban guerrilla groups (most notably the kidnapping of the U.S. ambassador Charles Elbrick), the hardline military junta that replaced President Costa e Silva after suffering from a cerebral thrombosis, seized the opportunity to consolidate the national security legal framework. It reissued a revision of the national security decree-law (Decreto-Lei Nº 898; 1969), granting the executive branch complete discretion in determining what constitutes a crime against national security and incorporating parts of the AI-5 into the constitution. As Alves asserts, “the provisions of the law have constituted the main tool of political repression, and have become the foundation of state power itself.” See: Alves, *State and Opposition in Military Brazil*, 118.

interdivision feuds, but also in rivalries for prestige, competence and success.⁷⁵ These contributed to the escalation of repressive violence. Waging an all-out war against “insurrection” to maintain the wellbeing and stabilization of society, the National Security Services saw only two sorts of citizens: “subversives” and “loyal, law-abiding” ones.

⁷⁵ Alves, *State and Opposition in Military Brazil*, 128-131.

Chapter 2. *Cadeira do Dragão*: From “Barbaric Brutality” to Modern “Humane” Torture

Historicizing Torture

The Brazilian Truth Commission, established in 2012, estimated that 200,000 people were persecuted during the military regime.⁷⁶ Following the issuing of AI-5, when repression reached its peak, counterinsurgency agencies tortured tens of thousands civilians suspected of subversion.⁷⁷ Beatings were a standard part in an interrogation of “insurgents”; crueler coercion methods, such as the infamous Parrot's Perch (Pau de Arara), waterboarding and administering electric shocks, were common as well. The practice served not only as a method to gain “crucial” information about subversive activity, but also as an instrument of social control.

A practice associated with the “barbaric” medieval times had suddenly become integral to the functioning of a modernizing regime. How might we explain this? This section traces the history of torture in “Western” society and culture, expounding on changes in the implementation and application of torture vis-à-vis the evolution of states formation.

⁷⁶ The number represents the amount of people arrested, tortured, and fired from their work. See: Julianna Granjeia, “Comissões da Verdade Estimam que 200 Mil foram Perseguidos,” *Poder Online*, February 28, 2013. Accessed April 27, 2013 <http://columistas.ig.com.br/poderonline/2013/02/28/comissoes-da-verdade-estimam-que-200-mil-foram-perseguidos/>

⁷⁷ The armed forces also disappeared 475 Brazilians. See: *Direito à Memória e à Verdade: Comissão Especial Sobre Mortos e Desaparecidos Políticos* (Brasília: Secretaria Especial dos Direitos Humanos da Presidência da República, 2007).

In 1984, the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment defined torture as:

...any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.⁷⁸

This contemporary definition is the result of a long historical process during which the practice, meanings and legitimacy of torture have constantly changed. The trajectory of torture can be traced to the times of ancient Greece, where only slaves and foreigners could lawfully be tortured. Truth telling, Greeks believed, was made possible by the capacity to reason – a quality attributed only to free citizens.⁷⁹ Since slaves were believed to lack rationality, masters did not view their testimony as truthful. Attaining their “genuine” deposition, therefore, required torture: The “tormenting desire” to end a painful torture would compel slaves to bring truth to light.⁸⁰ Roman law followed the Greek one, as Roman slave owners had the right to torture their slaves when suspected of offences within their property.⁸¹

⁷⁸ Resolution 39/46; adopted by the General Assembly of the United Nations on 10 December 1984.

⁷⁹ Jeremy Wisnewski, *Understanding Torture* (Edinburgh: Edinburgh University Press, 2010), 16-17.

⁸⁰ James Ross, “A History of Torture”, in Kenneth Roth, Minky Worden, and Amy D. Bernstein, eds., *Torture: Does It Make Us Safer? Is It Ever OK?: a Human Rights Perspective* (New York: New Press, 2005), 4-5.

⁸¹ Wisnewski, *Understanding Torture*, 18. Roman slaves, however, could only be tortured in criminal cases, as was the case in Greece. Moreover, slaves could not testify against their masters. Practice of torture changed during the Roman Empire era, when citizens became subjected to torture in cases of treason.

A revolution in legal structures and perceptions reshaped the criminal jurisprudence in Europe during the twelfth century.⁸² Central to the transformation was the emergence of the public law, derived primarily from the desire of secular, and particularly religious institutions to create ‘universally’ applicable laws for all of Christian Europe. In the previous, “private” criminal law system, only the oath of verified citizens was valid. Cases that could not be settled due to the absence of a sworn testimony were left to the divine. Legal writers coming out of the first European universities in the late Middle Ages sought to replace those past “irrationalities” of the accusatorial processes. Based on Roman law and the Justinian Code and Digest, they introduced a new “rational” public prosecution system, which, for the first time gained the responsibility of investigating serious crimes and offenses in society.⁸³

Justification for an interrogation now required a substantial evidence of a crime. More important, conviction required significant proof, obtained by either the testimony of two eyewitnesses or the confession of the suspect. Since finding two eyewitnesses was frequently not feasible, confession became the primary investigative method. Criminals, however, were not easily ready to acknowledge their wrongdoings. Yet, the idea that crime would go unpunished was unacceptable. Therefore, when there was no will to

⁸² Edward Peters, *Torture* (New York: B. Blackwell, 1985), 41.

⁸³ *Corpus Juris Civilis*, or Justinian Code, was the result of Emperor Justinian's desire to assemble existing principles of Roman law into a simple and clear system. Under Justinian's legal Minister Tribonian, a group of scholars worked to codify Roman laws, which resulted in the publication of the Code in 529 AD. Later expanded to include Justinian's own laws, it was finally completed in 534. Included in the Code was the Digest (Pandectae), a collection of Roman jurists' writings, arranged in 50 books. The Pandects attained statutory force, holding authority through the middle ages and finally during the Byzantine Empire. See: *Encyclopedia of Religion*, 2nd ed. s.v. "Justinian I" George Every, "Justinian I," ed. Lindsay Jones, *Encyclopedia of Religion* (Detroit: Macmillan, 2005).

confess, the law permitted additional measures for “confession-extraction.” In other words, the justice system endorsed the practice of torture.⁸⁴

With the legalization of torture, laws governing its implementation and practice flourished, as well as the training of interrogators. Jurists participated in debates over ways to improve the judicial procedure and safety measures to prevent abusive cases. Torture, therefore, became institutionalized. No longer was it a supplementary way to pursue the truth residing in the “body” of the slave, but a necessary part of attaining adequate evidence.⁸⁵

The twelfth and thirteenth centuries also witnessed a rise in religious dissent, which generated considerable ecclesiastical and lay concern. By the mid-thirteenth century, regional rulers, influenced by the Catholic Church, aligned heresy with the crime of treason – an offense that demanded confession for full conviction in secular law.⁸⁶ This linkage advanced the association between the practice of torture and religious persecution. In 1252, Pope Innocent IV formally authorized the use of torture against heretics, granting inquisitors the power not only to torture people into confessions but also to sentence them to death at the stake.⁸⁷

The most common method of inquisitorial torture was the *strappado*. Inquisitors would first tie the victim's hands behind the back and attached a rope to their wrists. The rope was thrown over a beam in the ceiling. The torturer then pulled up the rope, hanging

⁸⁴ Malcolm D Evans and Rodney Morgan, *Preventing Torture: a Study of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment* (Oxford: Oxford University Press, 1998), 5-10.

⁸⁵ Peters, *Torture*, 51.

⁸⁶ *Ibid.*, 64.

⁸⁷ This was part of Innocent's *Ad Extirpa* bull. Ross, “A History of Torture”, 10.

the victim in the air for a period of time. In some cases, torturers attached weights to the feet of the victim, increasing the stress on the arms and back muscles.⁸⁸

During the fifteenth and sixteenth centuries, the Catholic Church's Inquisition was integrated into governmental bureaucracies, resulting in the expansion of the torture practice through the Spanish, Portuguese, and Roman Inquisitions. This development set conditions for the torture of slaves and converted indigenous peoples suspected of heresy under the Spanish and Portuguese empires in colonial Latin America, as well as the great witch-hunt, which spread throughout Europe and the New World until the eighteenth century, claiming between two hundred thousand and one million lives, the majority of them women.⁸⁹

Criticism of torture began to appear already in the seventeenth century, yet it was during the eighteenth-century's enlightenment when a wave of critical writings pointing at the immoral and irrational elements in the process of inflicting pain emerged.⁹⁰ Arguments appearing in Cesare Beccaria's *On Crimes and Punishments* were most influential, yet Beccaria was not alone in his critique. Other writers viewed torture as a remnant of barbarism and a product of tyranny and superstition, as Voltaire asserted in his *Treatise on Tolerance*.⁹¹ For these "enlightened" scholars, the new era of reason had no place for the "medieval, brutal practice".

⁸⁸ Peters, *Torture*, 68

⁸⁹ Ross, "A History of Torture", 11.

⁹⁰ The French jurist and philosopher Jean Bodin called for caution in the implementation of torture against witches (but only because witches had the power to resist pain). The protestant physician Johann Weyer opposed witch-hunts and advocated against the use of torture as well.

⁹¹ Questioning the morals and efficacy of torture, Beccaria noted that "*The examination of the accused is intended to find out the truth; but if this be discovered with so much difficulty in the air, gesture, and*

In 1874, Victor Hugo declared that “torture has ceased to exist.”⁹² Legally, this was largely true. Considered as the antithesis of humanitarian jurisprudence and liberalism, torture began to be slowly expunged from local statutory laws in Europe in the late eighteenth- and early-nineteenth centuries. As Edward Peters notes, torture became “the greatest threat to law and reason that the nineteenth century could imagine.”⁹³

Modernizing Torture

Torture gradually disappeared from criminal justice systems, but the practice itself did not die out. After consolidating national borders in the turn of the twentieth century, European nation-states restored the investigative use of torture; this time, in the name of state security. Social turmoil and divisive political ideologies played a crucial role in promoting belligerent foreign policies among European nation-states during the first decades of the century. Anxious to obtain information about their adversaries, superpowers trained and sent ‘foreign spies’ and ‘secret agents’ to extraterritorial missions. In response, governments created provisions that enabled treating “enemies”

countenance of a man at ease, how can it appear in a countenance distorted by the convulsions of torture?” See: Cesare Beccaria, *On Crimes and Punishments* [1764] (Cambridge: Cambridge University Press, 1995), chapter 16. And also: Voltaire, *Treatise on Tolerance* [1763] (Cambridge U.K.: Cambridge University Press, 2000).

⁹² John Conroy, *Unspeakable Acts, Ordinary People: The Dynamics of Torture* (New York: Knopf, 2000), 281.

⁹³ Peters, *Torture*, 75. My historical analysis in this section focuses on European state-led torture. We should acknowledge that first, “subversive” groups and guerillas used torture too, and second, that other historical trajectories and implementations of torture exist, whether based northern African or rooted in eastern Asian traditions.

outside the legal structure. New laws, tailored for dealing with national threats, allowed to subject the “hostile agent” to conducts usually prohibited by the state justice system⁹⁴

Soon enough, the legitimization of states to act ‘outside’ the law extended to other scenarios, as the category of ‘threat’ expanded. ‘Revolutionary socialists’, ‘anarchists’, ‘inferior races’ – all were perceived as obstructions to the modern state project. ‘State of emergency’ allowed either state authorities or revolutionary parties —from Stalin’s USSR, through fascist Italy and Spain, and finally with Germany under the Third Reich—to fight subversion by any means necessary. Whether in the Gulag forced-labor camps or in Nazi genocidal atrocities, torture was rearticulated to be directed not only at external spies but also at perceived internal threats. The twentieth-century “dissidents” became the new heretics.

As a reaction to Nazi atrocities, the global community developed international declarations, laws, and treaties prohibiting torture. The 1948 Universal Declaration on Human Rights of the United Nations, included freedom from torture as one of the fundamental rights of all human beings, asserting that "no one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment."⁹⁵ Subsequently, human rights treaties adopted at international and regional levels prohibited the practice.⁹⁶

⁹⁴ Peters, *Torture*, 105

⁹⁵ The Universal Declaration of Human Rights, adopted by the UN General Assembly on 10 December 1948, Article 5.

⁹⁶ A major landmark was the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The convention set out specific measures that governments must take to prevent and punish torture, and established the Committee Against Torture. By 2004, the convention had 134 state

Despite these initiatives, torture remained an investigative method of the state during a belligerent global Cold War, albeit covertly and unofficially. Believing that “information can be obtained more rapidly if the person being interrogated is subjected to strict discipline and isolation”, CIA tacticians and “counterinsurgency experts” included methods of coercive investigations in agents’ handbooks.⁹⁷ Advancing a scientific approach to torture, they developed specialized torture models and practices that would achieve the “best results with minimum physical harm”. Two main types of torture-based interrogation were defined: ‘pain’ and ‘stress’ interrogations. A person subjected to the first one, namely physical coercion, will tell the truth in order to escape pain, they theorized.⁹⁸ Psychiatric stress interrogation, on the other hand, posited that a prisoner who is psychologically dependent on the interrogator would become submissive, hence less resistant to questioning.⁹⁹

In Latin America, the Argentinean Intelligence service under the military junta (Secretaría de Inteligencia – SIDE) as well as the Chilean National Intelligence Directorate (Dirección de Inteligencia Nacional - DINA) under Pinochet used both methods interchangeably.¹⁰⁰ Together with the Brazilian SNI, they created a broad

signatories. See: The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the UN General Assembly on 10 December 1984 (resolution 39/46)

⁹⁷ Jennifer Harbury, *Truth, Torture, and the American Way: The History and Consequences of U.S. Involvement in Torture* (Boston: Beacon Press, 2005), 28-38 ; Amnesty International French Medical Commission and Valérie Marange, *Doctors and Torture: Resistance or Collaboration?*, trans. Alison Andrews (London: Bellew, 1991), 1.

⁹⁸ British Medical Association, *Medicine Betrayed: The Participation of Doctors in Human Rights Abuses* (London: Zed Books, 1992), 9.

⁹⁹ Scholars have refuted both of these beliefs. See: Steven Miles, *Oath Betrayed: America’s Torture Doctors*, 2nd ed. (Berkeley: University of California Press, 2009), 6-7; 13-18.

¹⁰⁰ Ensalaco, *Chile Under Pinochet: Recovering the Truth*, 55–58; Marguerite Feitlowitz, *A Lexicon of Terror: Argentina and the Legacies of Torture* (Oxford: Oxford University Press,, 2011), 140, 249.

network of clandestine operations to counterattack any form of oppositional political activity.¹⁰¹

Choque Elétrico

Some scholars divide the practice of torture during the Brazilian military regime into chronological phases.¹⁰² Between the coup and 1968, counterinsurgency primarily persecuting individuals associated with the Brazilian Communist Party and Marxist-leaning groups. Lacking coordination between the various agencies of the armed forces led to “independent” intelligence operations, some of which ended with torture-based investigations carried out by “inspired” interrogators.¹⁰³ In these cases, beatings were the most common, although testimonies demonstrate the use of instruments as well. In the Parrot's Perch (Pau de Arara), for example, the perpetrators would suspend the victim on a bar by the hands and knees, which were tied to the ankles. In this position, interrogators beat the victim's naked body.¹⁰⁴

Following the proclamation of AI-5, reports of torture intensified. The increase in opposition to the regime, and particularly the rise of armed urban-guerrilla groups—receiving international attention with the 1969 kidnapping of U.S. ambassador Charles Elbrick—served as a justification for hardline factions within the military to expand state-

¹⁰¹ J McSherry, *Predatory States: Operation Condor and Covert War in Latin America* (Lanham MD: Rowman & Littlefield Publishers, 2005), 3-4.

¹⁰² Adail Ivan de Lemos, *Desafia o Nosso Peito: Resistência, Tortura e Morte Durante o Regime Militar Brasileiro* (Rio de Janeiro: Consequência, 2011), 42-80; Elio Gaspari, *A Ditadura Escancarada* (São Paulo: Companhia das Letras, 2002), 4-20.

¹⁰³ Lemos, *Desafia o Nosso Peito*, 42-45.

¹⁰⁴ Moreira Alves, *State and Opposition*, 124.

led torture. Analysis of 1,843 torture denunciations appearing in BNM provides cogent evidence for the sweeping change.¹⁰⁵ While in 1968 there were 85 denunciations of torture, in 1969 (after AI-5), there were 1,027 references. In 1970, marking the apex of the regime's repression, the number rose to 1,206.

As part of institutionalization of torture, several intelligence units of the armed forces established clandestine torture centers, such as the DOI center on Barão de Mesquita Street in Tijuca, Rio de Janeiro, and CENIMAR's torture center in Ilha das Flores, a small island located in Guanabara Bay, outside of Rio.¹⁰⁶ In these centers, new techniques and instruments were introduced to improve the effectiveness of the torture. Electric shocks, for example, became a popular method: after references to beatings and murder threats, *eletrochoque* was the most common type of torture appearing through BNM denunciations. In many cases, interrogators combined the practice with other "more traditional" instruments. Journalist Antonio Fon has described his experience of torture with electric shocks while being tied to the Pau de Arara:

...nothing was more terrible than the electroshocks administered to the head, with one wire attached to the earlobe and another to the lips, throat or nose. These shocks caused a contraction so strong in the facial muscles, that the teeth were biting the tongue, nearly slashing it.¹⁰⁷

¹⁰⁵ Of course - this figure does not reflect all the instances when defendants suffered torture, but rather those when defendants decided to declare in court that they have been tortured.

¹⁰⁶ Ilha das Flores is located in Guanabara Bay. Skidmore, *The Politics of Military Rule in Brazil, 1964-85*, 24-25.

¹⁰⁷ Antonio Carlos Fon, *Tortura : a História Da Repressão Política No Brasil* (São Paulo: Editora Parma, 1979), 11.

In other instances, interrogators administered the shocks to more sensitive parts of the victim's naked body, such as testicles, nipples or the anus.¹⁰⁸ The peak of the regime-led torture continued until late 1974, when President Ernesto Geisel sought to restrain the regime's repression as part of the government's gradual liberalization process (*distensão*). Scholars identify this period as the third phase of torture, pointing to the impact of the international community in pressuring the Brazilian government to adhere to global treaties against torture. Correspondingly, the number of torture denunciation in the Military Supreme Court fell to 585 in 1975 and 156 complaints in 1976.¹⁰⁹ The succeeding president, João Figueiredo, continued the trend, initiating the so-called *Abertura* and limiting coercive operations of the counterinsurgency agencies.

Adail Ivan de Lemos pays considerable attention to the period of intensified torture between 1968 and 1974. Identifying variations in the implementation of the practice during those years, he argues that after 1971 torture became "scientific". According to Lemos, the military officially endorsed the practice as a method of attaining information, advancing a "professionalization" of the inflicting pain process, in which various counterinsurgency units introduced torture methods to their trainings.¹¹⁰ These

¹⁰⁸ Alves, *State and Opposition in Military Brazil*, 124.

¹⁰⁹ BNM, Projeto A: Tomo V, Vol I, 64. Interestingly, numbers also show that incidents of 'disappeared people' actually went up once the *Abertura* began. A reasonable explanation may lie in the quest of counterinsurgency centers to eliminate witnesses before the end of the regime.

¹¹⁰ Lemos, *Desafia o Nosso Peito*, 57–63. Similar to A. J. Langguth and other Brazilian scholars, Lemos also argues that the training was led by Dan Mitrone, an American police officer assigned by the State Department to teach counterinsurgency techniques in Brazil. From 1960 to 1967, he worked with police units in Belo Horizonte and Rio de Janeiro. In 1969, he moved to Uruguay, this time under USAID, to train

included teachings of coercive-interrogation procedures and techniques to match the type of torture to the “type” of detainee.¹¹¹ Within that process, he argues, DOPS and the DOI-CODI agencies chose the “right” candidates for the position of interrogators; the ones who demonstrated a “tough” character, immune to the required duty of torturing a human being.¹¹²

Lemos does not provide sufficient evidence to support this argument, and his characterization of interrogators is precariously generalized. His suggestion for a “scientific” development of torture, therefore, is speculative. Yet Lemos does demonstrate a process of sophistication of the instruments used for torture. The Dragon’s Chair (Cadeira do Dragão), for example, was an “enhanced” version of the traditional electroshock-torture. Used in Rio de Janeiro and São Paulo’s torture centers, it involved a heavy chair to which the victim was tied with straps. Electric wires were then attached to the tortured fingers and toes. While one interrogator controlled the level of shocks, another used an electric stick to administer additional shocks to the victim’s inner thighs and genitals.¹¹³

Ironically, the introduction of these technological developments aimed to make the torture more “progressive”. The official goal of the institutionalized Brazilian torture

and oversee the Uruguayan Office of Public Safety. In 1970, the Tupamaros guerrilla kidnapped Mitrione. After the Uruguayan government refused their demands to release 150 political prisoners, Mitrione was killed. See: Ibid., 57-58

¹¹¹ Trainees learned to first attempt to obtain information by deceiving the interrogated, then move on to beatings that would heavily intensify as soon as the detainee began to talk. The “irrational” amplification of torture precisely when the victim starts to cooperate aimed to harm not only his or her physical health but also the mental state, advancing obedient collaboration.

¹¹² Ibid, 58–59.

¹¹³ *Torture in Brazil: a Shocking Report on the Pervasive Use of Torture by Brazilian Military Governments, 1964-1979, Secretly Prepared by the Archdiocese of São Paulo*, tran. Jaime Wright (Austin, TX: University of Texas Press, 1998), 19.

was not to punish, but to expose information about national threats. It was, after all, a “necessary evil”. By using instruments like electric shocks, and later psychological distress methods, modern torture was not only harder to document (since it did not leave any physical marks), but also, in contrast to the “brutal and irrational” torture of the past, more “enlightened and humane”.¹¹⁴

An essential part of the “sanitization” of torture was the introduction of medical treatment to the torture process. This was not the first engagement of doctors with torture. Doctors were always intrinsic to torture in preventing the premature death of the suspect prior to soliciting requisite information. As early as the Renaissance period, physicians were assigned legal roles in assessing the general health of victims of interrogational torture, such as confirming pregnancy—a condition that exempted women from torture. During the early twentieth-century, doctors were increasingly enlisted to “civilized” torture practices. Medical guarantees made available to detainees designed to ensure that no cruel intention or gratuitous pleasures were involved in the process. Administering torture under medical supervision, therefore, intended not only to eliminate the possibility of undue sadism, but also to prevent the worst, that is, death or irreversibly injury.¹¹⁵

Indeed, in some instances doctors have prevented the death of the tortured. As historical records illustrate however, in other instances, not only that they were not able to obstruct severe injuries, they also actively participated in inflicting pain.

¹¹⁴ Other technological advancements included admitting ‘truth drugs’ and forcing psychological mind control. See G E Jones, “On the Permissibility of Torture,” *Journal of Medical Ethics* 6, no. 1 (March 1980): 12.

¹¹⁵ Amnesty International French Medical Commission and Marange, *Doctors and Torture: Resistance or Collaboration?*, 2.

Medicalized Torture

Politically active in the National Student Union, Dominican priest Frei Tito Alencar Lima was detained in 1969 by São Paulo's DOPS. He later testified about his experience of torture under Deputy Sérgio Fleury and his counterinsurgency team:

They first took me to the parrot's perch...I received electric shocks in the tendons of my feet and on my head... this lasted for one hour. When I left the room my body was marked by hematoma, my face was swollen...A soldier carried me to my cell. On Thursday three policemen woke me up... I went to the interrogation room...They sat me on the dragon chair and they gave shocks in the hands, feet, ears, and mouth...At each electrical charge my body shook and shivered, as if the organism was about to crumble. [Then] they took me to the parrot's perch...One hour later, with my body covered with blood I fainted. They untied me and brought me to consciousness...¹¹⁶

What happened after Frei Tito's first bout of torture that enabled his return to another, excruciating session? How did his torturers know how to bring him back to consciousness? A diverse set of evidence, from court records to reports published by human rights organizations, demonstrates how doctors indirectly and directly participated in the regime-led torture, as well as in other Latin American military rules during the Cold War.

My research located 208 references to medical professionals in BNM's torture denunciations, constituting around 11 percent. In other words, one in every nine

¹¹⁶ Cited in: Alves, *State and Opposition in Military Brazil*, 124. Frei Tito was deported to Chile in 1971, and fled to Europe with the Chilean military coup in 1973. In 1974, suffering from depression and persecution paranoia, Tito committed suicide in Lyon. The film *Batismo de Sangue* (2006) recounts his story, as well as his Dominican colleagues, among them Frei Betto, who remained active in the political arena, serving as an advisor to the recent Brazilian President Lula da Silva.

testimonies dealing with torture included some remark regarding health personnel. This quantitative analysis provides proof that medical professionals played a systematic role in the military mechanism of torture. It does not demonstrate, however, that all of the referred professionals took active part in the torture practice. Some of the references, for example, deal with the evacuation of victims to a hospital after when their medical condition deteriorated as a result of coercive interrogation.¹¹⁷ Recovery in a controlled hospitalized environment did not necessarily mean that interrogation was over, however. Cases that refer to military hospitals reveal their “functional role,” treating victims only to the point when they were healthy enough to endure more torture. Then, they were returned to the interrogation facility.¹¹⁸

Most of the detainees remained in the interrogation facility. There, military doctors played direct and indirect roles in the process of inflicting pain. One of the most repeated complaints regarding doctors in BNM refers to the medical examination of detainees before coercive interrogation, which certified their capability of withstanding harsh measures. The doctor usually measured the victim’s blood pressure and informed the officers about his or her condition.

The examination did not necessarily mean that the interrogators considered the victim’s medical condition, as exemplified by the case of Maria Vitória Madeira. A member of the Popular Action guerilla (Ação Popular; AP), Madeira was five months pregnant at the time of her arrest. After a doctor certified her pregnancy, he advised her

¹¹⁷ Analysis of 30 incidents of evacuation to hospitals reveals that 26 of them, i.e. 86 percent, were to military hospitals.

¹¹⁸ For example, see the case of João de Carvalho, a student tortured and hospitalized in 1972. BNM 674

interrogators how to investigate her using “restrictive torture” that would not result in miscarriage. Detained and tortured in Brasília for four months in 1971, she finally gave birth to her son in the local military hospital.¹¹⁹ Doctors also treated the detainees after interrogations. Marco Antônio Ferreira, a 28 years old banker detained in 1969 for a number of days in Belo Horizonte, suffered harsh torture, including electric shocks. After the interrogation ended, a doctor appeared to treat him. Concluding that “this was nothing” the doctor recommended Ferreira to “stay strong”.¹²⁰

Perhaps more contentious, medical intervention between interrogations was popular as well, allowing the health-endangering process to proceed. Defendants mentioned a nurse or a doctor visiting them in their cell between one torture session to another. Their treatment usually included disinfecting wounds and even administering medication in case of high blood pressure.¹²¹

This was a common practice not only in Brazil, but also in the other Latin American military dictatorships. Writing about his imprisonment and torture by the Argentine military, journalist Jacobo Timerman referred to this practice:

The doctor came to see me and removed the blindfold from my eyes... “I’m your friend. The one who takes care of you when they apply the machine”...He examines my gums and advises me not to worry, I’m in perfect health. He tells me he’s proud of the way I withstood it all. Some people die on their torturers, without a decision having been made to kill them’¹²²

¹¹⁹ Madeira was held in the Criminal Investigation Squad facility. See BNM 18

¹²⁰ BNM, 143.

¹²¹ As in the case of Gabriel Évora Noronha, a radio engineer detained and tortured in the DOI-CODI facility in Rio de Janeiro. See BNM, 43.

¹²² Timerman was held and tortured by the Argentinean military between 1977 and 1979. His memoir was published while in exile. See: Jacobo Timerman, *Prisoner Without a Name, Cell Without a Number* (New York: Knopf: distributed by Random House, 1981), 54.

Doctors, therefore, were important to the process of torture as interrogators were. In treating their “patients”, they also perpetrated the continuation of the torture, which in turn persisted until “information was obtained”. It is no surprise then that permanent medical personnel was present at torture centers.¹²³ This was not only evident from testimonies presented at the military court, but also mentioned in reports of human rights organizations. As early as 1972, Amnesty International referenced the matter. Presenting interviews with victims of torture, it also asked about the medical care provided during the imprisonment. Two informants testified about the presence of a medical staff at the CODI headquarters in Rio de Janeiro and in CENIMAR center in Ilha das Flores. As these were detainment facilities, it was reasonable to keep a medical professional on call to attend for sick prisoners. However, as the report’s informants concluded, “doctors are in attendance only to control the amount of torture to which a patient may be submitted or to prescribe sedatives to aid in interrogation”.¹²⁴

The medical treatment between sessions did not always take place inside the detention cell. In cases when torture was so fierce that the victim fainted, doctors appeared in the interrogation room itself. When Vitor Júnior—a student detained in Rio de Janeiro’s military police headquarters in 1970—lost his conscience due to severe beatings and electric shocks to his genitals, a doctor appeared in the interrogation room.

¹²³ Particularly in CENIMAR, where “a doctor was on call during the whole time of interrogations”. See the court case concerning CENIMAR’s Tenente Coutinho: BNM 93

¹²⁴ *Report on Allegations of Torture in Brazil*, 18,21.

As he testified, the doctor then administered an injection that woke Júnior up and enabled the continuation of physical coercion.¹²⁵

While some doctors clung to their belief in the physician's role—as one who preserves human life—while still participating indirectly in the process of torture, others exploited their medical education to participate directly in the practice. Such was the case of Laura Oliveira, a schoolteacher held and tortured in OBAN facility in São Paulo in 1970. After being severely beaten, Oliveira later testified, she began to urinate blood. The doctor who treated her, first in OBAN facility and then in a nearby military hospital, diagnosed a kidney problem and ordered the interrogators she should rest and consume large quantities of water. More than fulfilling his vocation, however, he also advised the deputies in place not to hit Oliveira in the kidneys, and to focus instead on other parts that would not leave a mark.¹²⁶

Direct participation of doctors in torture sessions is not documented in large numbers, which perhaps suggests it was not common. Yet testimonies that do describe that kind of complicity are telling, exposing more than a few incidents when doctors were not only present during torture but also assisted to administer it.¹²⁷ The staggering testimony of Elizabete Hinda Eisen provides demonstrate that kind of collaboration. Eisen was a social worker detained in CENIMAR facility in 1969. During ten days, she had suffered from various physical and psychological tortures. When the first

¹²⁵ BNM 679. For another example, see BNM 93.

¹²⁶ BNM, 533. Another similar case is found in BNM 532

¹²⁷ My investigation found five testimonies of direct complicity of doctors in torture. See BNM 18, 93, 143, 205, 224.

interrogation concluded, she later testified, three men—a military commander, a police inspector and a medical doctor—tried to ease her worries. They confided that the torture she suffered was “scientific-driven and would not leave a mark”. When interrogation continued, the three stripped and then beat her, before administering electric shocks to her naked body. Between shocks, Eisen told the court, the doctor had the role of shaking her body in order to keep her from fainting. This continued for half a night, after which the interrogators needed to carry her back to the cell since she was not able to walk. Shockingly, that same doctor was also the one who later provided Eisen with medical treatment in her cell.¹²⁸

The cooperation of doctors with torture was not limited to treatment in coercive interrogations. They also perpetuated the legitimate appearance of the regime. As with the case of Vladimir Herzog, the military regularly covered up incidents of death by torture, issuing a false statement. As confirmation, medical professionals produced medical reports that supported the official version, thus concealing evidence of abuse. The case of coroner Dr. Harry Shibata is perhaps the most known in Brazil today.¹²⁹ However, other cases less known to the Brazilian public demonstrate a systematic pattern of medical cover-up. Testimonies expose incidents where doctors signed false documents stating that detainees did not suffer from any injuries despite their marks of beatings and electric shocks.¹³⁰ One particular example is the case of Akio Yoshikazu. Testimonies

¹²⁸ BNM 205.

¹²⁹ More on Shibata’s case: British Medical Association, *Medicine Betrayed: The Participation of Doctors in Human Rights Abuses*, 39-40.

¹³⁰ Such was the case of Diego Inácio da Silva, a banker detained in the police headquarters in Fortaleza (BNM 696), and Bruno Jordão Chaves, a university professor detained in Rio de Janeiro (BNM 289).

presented throughout his trial recounted how Yoshikazu was hospitalized in São Paulo after a long and coercive detainment. Although he and the other patients in the hospital room bore the marks of torture, three military doctors affirmed his “good health” in his personal medical report.¹³¹

As this chapter demonstrated, to view the regime’s mechanism of torture as the work of a few “sadistic” individuals who oppressed a “victimized” society is problematic, to say the least. Encompassing more than the security forces, the intricate apparatus behind counterinsurgency included military and police units; national security ideologues, government advisors and legislators; and, most important, medical professionals who enabled and sustained the systematic torture of individuals labeled as “subversives”. More than introducing an understudied sector that facilitated torture, focusing on doctors raises broader questions regarding to our perception and image of ‘physicians’ – professionals who are not only trained to prevent suffering but also committed to a ‘Hippocratic oath’ of upholding professional ethical codes. How is it, then, that doctors participated in what have been defined by international treaties and world conventions as a human rights violation? The next part deals with this question, offering several theoretical frameworks that advance a multifaceted interpretation of doctors’ complicity.

¹³¹ BNM 100.

Chapter 3. Integral to the System: Ideology, Just War and Ordinariness

In 1987, a report published by the Committee on Scientific Freedom and Responsibility of the American Association for the Advancement of Science, exposed the collaboration of military physicians in torture during Uruguay's military dictatorship (1973-1985).¹³² Based on interviews with military and civilian doctors, army officers and former prisoners, the report demonstrated not only the systematic use of torture in interrogations and prisons, but also the vital part Uruguayan doctors played in the repressive apparatus.¹³³ Similar to their Brazilian counterparts, Uruguayan doctors commonly provided a pre-interrogation examination. Additionally, officers often summoned doctors during torture session to treat the victim and advise whether torture should be stopped.¹³⁴ In addition to cases when doctors concealed evidences of abuse, the report also revealed their participation in violent interrogations, directly assisting to administer torture.¹³⁵

¹³² Maxwell Gregg Bloche, *Uruguay's Military Physicians: Cogs in a System of State Terror* (Washington D.C.: Committee on Scientific Freedom and Responsibility, American Association for the Advancement of Science, 1987).

¹³³ The report illustrates Uruguayan detainees held in detention centers for long periods without a trial, suffering from sleep deprivation, beatings and harsher torture methods, including electric shocks. *La Picana* was a torture method that signified administrating shocks to the breast, the gums and the genitals, while *El Submarino* referred to near-drowning experience.

¹³⁴ *Ibid.*, 14.

¹³⁵ *Ibid.*, 19-20.

The AAAS published another report that year, detailing the relations between torture and the medical profession during Pinochet's regime in Chile (1973-1990).¹³⁶ Its findings illustrated similar patterns in the roles played by Chilean doctors to the previous analyzed. While agents of the National Intelligence Directorate (Dirección de Inteligencia Nacional; DINA) routinely practiced torture in detention centers such as Colonia Dignidad, and the notorious Estadio Chile, doctors conducted medical examinations, advised on whether a victim can withstand further torture and issued false certificates before victims left the detention center.¹³⁷

These reports demonstrate that the Brazilian collaboration was not exceptional, as medical professionals played similar roles in the other military regimes of the Southern Cone. Nonetheless, the scale of these collaborations and the importance of doctors to the systematic torture have remained almost untouched in the comprehensive body of literature dealing with Latin America's Cold War.¹³⁸ As this study illustrated, this facet of the torture mechanism cannot be ignored.

When giving testimony to Amnesty International regarding his detainment and torture in CENIMAR, João Marcos de Wilson addressed the medical treatment in the facility. Recounting how the doctor in charge treated him during the torture process, Wilson noted that the doctor was "keeping him alive so that he could not be regarded as a

¹³⁶ Eric Stover, *The Open Secret: Torture and the Medical Profession in Chile* (Washington D.C.: Committee on Scientific Freedom and Responsibility, American Association for the Advancement of Science, 1987).

¹³⁷ *Ibid.*, 25-31

¹³⁸ Adail de Lemos' book is perhaps the only study today that devotes a considerable part to this issue. See: Lemos, *Desafia o Nosso Peito*.

martyr”.¹³⁹ Medical professionals, then, played not only an integral but also a vital role in the torture mechanism.

The practice of torture, as discussed here, aimed to reveal information and extract confessions regarding subversive activity. As social scientists have also shown, torture suppressed dissent and maintained sociopolitical control through instilling terror in the populations.¹⁴⁰ The power of torture, however, had its limits. In this regard, Michel Foucault’s notion of “biopower” comes to mind. Exploring the limits of the pre-modern torture, Foucault describes the power of public torture. As the law represented the will of the divine ruler, violators had to be punished by the sword in a public spectacle to demonstrate the ruler’s power. Through “disciplining” the body of the criminal, the monarch’s subjects were disciplined as well. Yet the daunting display of force also showed spectators the limits of power. The torture was efficient so far as the body could sustain the pain: “...a body destroyed piece by piece by the infinite power of the sovereign constituted not only the ideal, but the real limit of punishment”, Foucault noted.¹⁴¹

A *dead* body cannot be disciplined. In this regard, the doctor’s role in the torture mechanism was crucial. The physician’s role of saving life (or more accurately preventing death) played a significant part in preserving the disciplinary power of the torture. Conversely, the victim’s death was a way to challenge the perpetrator’s power; ‘to

¹³⁹ *Report on Allegations of Torture in Brazil*, 21.

¹⁴⁰ Norbert Lechner, “Some People Die of Fear: Fear as a Political Problem,” in: Corradi, Fagen, and Merino, *Fear at the Edge: State Terror and Resistance in Latin America*, 26-37.

¹⁴¹ Michel Foucault, *The History of Sexuality*, trans. Robert Hurley (New York: Pantheon Books, 1978), 50.

overcome' torture. Considering that the military's implementation of torture—in Brazil as well in Uruguay and Chile—served as an instrument to instill order and discipline through society, the function of medical professionals appear even more critical.

Doctors' roles were essential for the regime. In fact, it was so important that the intelligence agencies monitored any activity attempting to impinge upon the medical service, so vital to the regime. On December 15, 1978, the Brazilian Committee for Amnesty held an open roundtable in the amphitheater of the Pontifical Catholic University of São Paulo (PUC). Entitled "Health Professionals, Ethics and Torture," it was attended by approximately two hundred people. The organizers came prepared. Fashioning the gathering as political event that sought to confront the collaboration of doctors with torture, the organizers declared all collaborating health professionals untrusted and banned from practicing medicine. They also demanded to gain access to the police facilities in order to provide aid for prisoners. The committee, of course, did not have any authority to ban doctors, nor political power to influence the regime's policies. Nonetheless, it was important enough for the military's intelligence to follow the developments and produce a detailed report on the event.

Presenting the gathering as part of "the campaign against the security bodies," the report determined the activity violated the Law of National Security. Particularly worrisome for the report's authors was the committee's decision to include in their statement a list of eleven doctors alleged to be complicit in the regime's torture. The report concluded that the "Marxist-Leninist" campaign of the committee "aims to

intimidate the health professionals, who by virtue of their duty worked intimately with the security bodies”¹⁴²

Without medical treatment, torture could not have worked efficiently and productively. Doctors, therefore, were viewed as a central cog in the machine of torture, important as interrogators were. Yet how did doctors themselves perceive their role? Why did they participate in inflicting pain – a practice that contradicts their professional ethical standards? What are the approaches we can utilize when examining doctors’ complicity in torture? In the last section of the paper, I would like to suggest two analytical frameworks to explore answers for these questions.

Ideological Healing

Doctor Amílcar Lobo Moreira da Silva, a psychiatrist serving as a doctor in Rio’s DOI-CODI facility between 1969 and 1973, is one of the few doctors who decided to expose their role in the military torture system. Lobo, or Dr. Carneiro as his victims knew him, was in charge of supervising prisoners’ health, determining whether they will endure further coercion and administering medication in case of need. When discussing his motivations to join the military effort and participate in the torture mechanism, Lobo referred to the necessity to protect the Brazilian state from militant guerrillas in a time of

¹⁴² “Campanha Contra os Órgãos de Segurança com Infração à Lei de Segurança Nacional,” MCP.PRO.1591; DSI.

national threat.¹⁴³ This remark reminds us that while doctors were trained as health professionals, they were not immune from Cold War ideology, at least not more than others were.

In its extreme embodiment, the national security ideology was expressed through biological and medical language. Hardline ideologues considered the state as a supreme living organism and subversives as “cancerous cells”, detrimental to the body politic. In order to defend national security—or for the “organic state” to endure—cancer must be excised.¹⁴⁴ This kind of extreme ideology was more prevalent in Chile’s dictatorship, as demonstrated through the words of Chilean General Gustavo Leigh Guzman. Speaking at the Pontifical Catholic University of Chile, a few months after the coup, he stated: “Marxism [...] represents a truly malignant tumor which has created a painful situation for all of us [...] But of one thing you can be sure: and that is that we are absolutely determined to extirpate it at its root.”¹⁴⁵

Although more moderated than the Chilean generals, Brazilian military men also referred to the need to “cure the deficiencies in Brazilian society” and “defend it from the attack on moral customs”.¹⁴⁶ Even before the 1964 coup, private right-wing foundations

¹⁴³ The testimonies revealing Lobo’s role, and his acknowledgement of his actions were first published in 1986 in the newspaper *Jornal do Brasil*. See: Zuenir Ventura, “A Psicanálise Da Tortura,” *Jornal Do Brasil*, September 14, 1986, Caderbo B, 6-9. The context for these voices to come up—both the victim’s and Lobo’s voices—was the gradual transition to democracy in Brazil. Lobo later published a personal memoir of his days under the military. See Amílcar Lobo, *A Hora Do Lobo, a Hora Do Carneiro* (Petrópolis: Vozes, 1989).

¹⁴⁴ Pion-Berlin, “Latin American National Security Doctrines: Hard and Softline Themes.”, 413.

¹⁴⁵ Gustavo Leigh, “Discurso en la Facultad de Derecho de la U.C.”, *Revista de la Fuerza Aerea de Chile* 33 (1974): 9.

¹⁴⁶ Carlos Fico, “Versões e Controvérsias Sobre 1964 e a Ditadura Militar,” *Revista Brasileira De História* 24, no. 47 (2004): 39. About the post-1964 radicalization, see: Gláucio Ary Dillon Soares et al., eds., 21

such as the Institute of Research and Social Studies (Instituto de Pesquisas e Estudos Sociais - IPÊS) and the Brazilian Institute of Democratic Action (o Instituto Brasileiro de Ação Democrática – IBAD), created and published propaganda against the Goulart administration, demonizing the left as vicious and treacherous.¹⁴⁷

The acceptance of torture as a “necessary evil” required for eliminating national threat provides another illustration for the influence of national security doctrine. Former sergeant in Sao Paulo’s DOI-CODI Marival Chaves Dias do Canto, addressed this point in an 1992 interview. When asked if there were agents who sounded criticisms or expressed some sort of grievance regarding their employment of harsh torture methods, Canto replied:

On the contrary... in the repression, there were two kinds of people. The first, destined to kill, inspired by hatred. The other did not [feel] a calling for the crime, but was instilled with the doctrine of national security. They killed because they thought they were saving the country from communism.¹⁴⁸

According to Dias do Canto, then, while some doctors were just plain “sadistic”, others believed in an actual threat and their ability to eradicate it, which prevented them from questioning their actions. As former President Geisel explained in the early 1990s, “there are circumstances in which a person is forced to engage in [torture] for obtaining

Anos De Regime Militar: Balanços e Perspectivas (Rio de Janeiro: Editora da Fundação Getúlio Vargas, 1994).

¹⁴⁷ Fico, “Versões e Controvérsias Sobre 1964 e a Ditadura Militar.”, 50.

¹⁴⁸ Dias do Canto is one of the only “inner-functionaries” who decided to reveal secret details about of the regime’s apparatus of repression. Although he did not participate in torture, he was in charge of analyzing interrogation reports. See: “Autópsia da Sombra”, *Veja* (São Paulo), November 18, 1992.

confessions and, thus, to avoid a greater harm [to society]”.¹⁴⁹ Particularly in the Escola Superior da Guerra, which advanced a strong anticommunist commitment, this “just war” discourse had real effect.¹⁵⁰ Given that most of the collaborating doctors were indoctrinated to demonize any sort of a political activism, we can postulate that they were driven by ideological motives. By their professional training, doctors were enjoined to combat and eliminate diseases in the body and epidemiological threats to society. Yet did the complicit doctors view victims as a cancer?

Drawing on Robert Lifton’s seminal work on Nazi doctors, it is certainly possible that they did. An early proponent of psychohistory, Lifton sought to uncover the psychological conditions conducive to the evil that took place in Auschwitz.¹⁵¹ Conducting numerous interviews with former Nazi doctors, he argued that a process of “medicalization of killing” was crucial to the facilitation of the industrialized genocide. In the Nazi medical discourse, he demonstrated, the killing became a therapeutic imperative: since Jews, Romani people, Jehovah’s Witnesses, gays and lesbians were seen as “unfit”—as “diseased bodies” that required “healing”—the Nazi doctors did not really betray the Hippocratic Oath in their minds. On the contrary, they took active part in eliminating “diseases”. In fact, doctors have claimed to make “humanitarian” arguments when justifying euthanasia, forced sterilization, and even the use of poison-gas Zyklon-B as techniques to spare the victims from a painful death.

¹⁴⁹ Interview quoted in: Martha K Huggins, “Legacies of Authoritarianism: Brazilian Torturers’ and Murderers’ Reformulation of Memory,” *Latin American Perspectives* 27, no. 2 (2000): 74.

¹⁵⁰ Alfred Stepan notes that among the ESG graduates were also medical doctors. See: Stepan, “The New Professionalism”, 54.

¹⁵¹ Robert Jay Lifton, *The Nazi Doctors: Medical Killing and the Psychology of Genocide* (New York: Basic Books, 1986), 12.

Contradicting the common belief that doctors would be the least likely to engage in unethical deeds, Lifton saw doctors to be more prone to participate in ‘unemotional killing’: “It is they who work at the border of life and death...[I]t is they who are likely to be called upon to become biological activists”.¹⁵² Committed to the Nazi enterprise, doctors dismantled the boundary between healing and killing, Lifton argued.¹⁵³ Mixing racism with science, therefore, created a new medical perception, categorizing “the unhealthy” as “contaminated” and “contagious”. From here, doctors—‘ordinary’ as they can be—could only follow their professional oath: treating the sick, and committing demonic acts.¹⁵⁴

Can we discern a similar process in Brazil’s military rule? Obviously, Brazilian doctors did not participate in mass killings. Moreover, the motivations for torture differed greatly from Nazis objectives of racial extermination. However, considering the ideology of national security and the perception of Leftists as cancerous, it is plausible that Brazilian medical professionals considered their tortured patients as “unfit”, deviant, and pathological.

Ordinary Tortures

A second theoretical framework to explicate doctors’ complicity focuses on the influence of societal networks and bureaucratized structures on the individual’s

¹⁵² Lifton, *The Nazi Doctors*, 17.

¹⁵³ Ibid., 14.

¹⁵⁴ Lifton did not see the Nazi doctors as *unaccountable*, however. They were human actors and participants who manifested certain kinds of behavior for which, he affirmed, they were responsible. See Ibid., 5.

accommodation with violence. Writing some fifteen years after the end of the Second World War, Hannah Arendt reintroduced the banality of evil concept (coined by German philosopher Karl Jaspers) to emphasize the fact that perpetrators of Nazi atrocities were ordinary individuals, “men like ourselves”.¹⁵⁵ Observing the progress of Adolf Eichmann’s trial in Israel, Arendt concluded that perpetrators of the most radical evil were not ‘pathological’, but “ordinary”, bourgeois-professionals, whose locus within the bureaucratic apparatus obliterated serious moral judgment.

Christopher Browning has further developed Arendt’s interpretation when examining the activity of a reserve unit of the German Order Police during the Second World War. Situated in 1942 Poland, Browning’s study looked at Reserve Battalion 101 that massacred and organized Jews for deportation to Nazi death camps. The battalion’s soldiers, however, were “ordinary”, middle-age, urban men; not those one would have expected to commit brutal murders. To explicate that contradiction, Browning examined the social networks in which the soldiers operated. Isolated from their original “normal” social networks—which helped them maintain their humanity toward others—soldiers of Battalion 101 were “resocialized” into a new coherent group. Strict discipline and social pressures within the new network created blind obedience. Similarly, the “average” individuals composing the new network provided moral support and ethical approval for committing atrocities.¹⁵⁶ Browning concluded that within the right social setting, the majority of people would follow commands, even if they see the command as immoral.

¹⁵⁵ Hannah Arendt, *Eichmann in Jerusalem: a Report on the Banality of Evil*. (New York: Penguin Books, [1963] 1994), 69.

¹⁵⁶ Christopher Browning, *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland* (New York: HarperCollins, 1992), 162-169.

Considering Browning's thesis, can we assess the re-socialization process that doctors serving in the Brazilian military regime underwent?

Prior to the 1964 coup, military doctors received medical education in the military academy, followed by a service during which they treated ill soldiers, but rarely in combat conditions.¹⁵⁷ Doctors' roles, however, changed dramatically after the military overthrow. Now, they were participating in an "internal war" against "subversive elements". On his first day at the interrogation facility, Dr. Lobo recounts,

The colonel, Nei Fernandes Antunes, gave me a lecture on communism and then sent me to examine a prisoner. I went to the headquarters and saw a man over sixty years old lying naked on the floor, with wires all over his body; [...] he seemed to be on the point of death.¹⁵⁸

The interrogators, who continued to beat the person, assured Lobo that the man's health is not bad as it looks. "[...] I had not even touched the prisoner, but was already implicated," he noted.¹⁵⁹

Describing a work environment in which he did not really know whether he was treating patients or taking part in torture, Lobo explained that he felt "schizophrenic" about his actions at the time. This incident may represent a broader process experienced by other military doctors. Instead of providing health care to soldiers, they were now

¹⁵⁷ André de Faria Pereira Neto, "Ética e Institucionalização Da Profissão Médica (1927-57): Repertório De Fontes Documentais Para Uma História Da Criação Dos Conselhos De Medicina," *História, Ciências, saúde-Manguinhos* 5, no. 2 (1998): 435 – 441. Brazil did not participate in a war during most of the twentieth century, excluding a small force sent to Europe as part of WWII Allied Forces.

¹⁵⁸ Ventura, "A Psicanálise Da Tortura," 6.

¹⁵⁹ Ibid.

confronting severely injured civilians, a result of harsh torture. This process, to use Browning's analytical concept, *resocialized* them into becoming perpetrators. On the one hand, they attempted to fulfill their vocation; to preserve life. On the other hand, by doing that, they were complicit in perpetuating and even exacerbating the suffering of their "patients". In this sense, institutional culture and military bureaucratic professionalism normalized the doctors' actions. In addition to a belief in national security ideals, the military doctors saw themselves as subordinates who simply follow orders.

Integrating Lifton, Arendt and Browning's interpretations, a social and psychological portrait of the personnel who had participated in torture emerges. It reveals individuals driven by professional duty rather than radical evil, and whose professional ethical standards had been distorted in the context of an "internal war" and the absence of legal accountability. Perpetuating violence, doctors not only abided orders; they believed in serving a higher end.

Conclusion: Toward a Reconceptualization of Victims, Perpetrators and Accountability

In November 2011, twenty-six years after the end of the authoritarian military rule, President Dilma Rousseff sanctioned a law to establish Brazil's National Truth Commission. Rousseff mandated the commission to investigate cases of human rights violations that took place between 1946 and 1988.¹⁶⁰ Although lacking prosecutorial powers, during the last year the commission has received and collected numerous deposition, testimonies and archival documents regarding those turbulent times. As a result, the repression of that era has returned to the center of attention in the Brazilian media and public spheres, sparking debates concerning institutional and individual accountabilities.¹⁶¹

It remains to be seen whether the commission examines the internal framework of the regime's apparatus of oppression. As this study has demonstrated, however, this repressive apparatus had no clear demarcation between the military and civilians. Although the regime was implanted and headed by the military, an intricate and extensive civilian network of state bureaucracy, technocrats and advisers enabled its authority, power, and notorious machinery of repression. More important, 'experts' and 'professionals' were inseparable part of the regime's perpetration of violence.

¹⁶⁰ Lei Nº 12.528/2011, Cria a Comissão Nacional da Verdade. The commission began its work a year after the enactment, in May 2012.

¹⁶¹ Unlike its neighboring countries, Brazil has never provided an official account of the regime's violations, although in 1995 a special commission recognized the responsibility of the state for the regime's crimes, setting reparations for families of disappeared people. Lei Nº 9.140/1995, Cria Comissão Especial sobre Mortos e Desaparecidos Políticos.

Deemphasizing the role of personal leadership, Karen Remmer has advised scholars to abandon analysis of the conditions associated with the “breakdown of democracy”. “The forces that shape authoritarian rule are not fixed at the time of regime emergence”, she noted.¹⁶² This report has intended to do just that, applying the analytical lens to the mechanism of the regime’s repression rather than to explicate the “failure” of modern projects of the early-twentieth century. The mechanism of oppression, however, encompassed more than “evil” counterinsurgency units.¹⁶³ Concentrating on the direct and indirect roles medical professionals played in the implementation of state-led torture, the study has particularly sought to reconsider the categories of ‘collaborators’, ‘facilitators’ and ‘perpetrators’ of abuses.

In order to elucidate doctors’ role in torture, the report explored the historical underpinnings of both the ideology used to rationalize the use of torture and the practice itself. It demonstrated that underlying the national security ideology was not only a belief in an “internal” enemy, but also a medicalized terminology that labeled subversives as an infectious pathological disease. Concomitantly, the paper illustrated the process through which physicians and medical techniques were introduced to the modern practice of torture, in a putative effort to transform it into a scientific and “civilized” practice. With this context in mind, the report sheds light on the functions doctors served before, during and after coercive interrogations, as well as their role in maintaining both the integrity of the torture mechanism and the legitimate appearance of the regime.

¹⁶² Remmer, *Military Rule in Latin America*, 31.

¹⁶³ This is not to say that interrogators and counterinsurgency agents were not significant, or that they should not be held accountable. They were, after all, the prime facilitators of violent repression.

Not all doctors collaborated in human rights violations. The activity of the Brazilian Committee for Amnesty to denounce medical complicity in 1978, in which physicians participated, has been mentioned earlier in the report. Even beforehand, as early as 1976, the regional Medical Council of São Paulo (CREMESP) commenced an internal investigation into allegations regarding the signing of false death and autopsy certificates pointed toward Dr. Harry Shibata. Due to political interests and internal institutional conflicts within in the medical associations, this process lasted more than two decades, yet it demonstrates the multifaceted views of doctors regarding the “necessary war” and its war against subversives.

This illuminates another critical analytical framework to analyze doctors’ complicity. Although this study has not focused on the medical community in Brazil, future research could benefit from expounding on the community’s perspectives about professional ethics and the level of awareness within the medical associations regarding coercive interrogations. Unveiling the history of the medical institution during the military regime will also offer insights into the different perceptions of public health and their relation to coercive procedures.

The last part of the report offered several theoretical frameworks to explicate the collaboration of doctors with torture. The goal here was not to propose a defense for doctors’ complicit actions. Rather, it aimed to suggest possible routes that take into account both external and internal forces guiding and normalizing the professional behavior of medical personnel.

The Cold War is long gone, but not its legacies. As new national-security “threats” replaced the outdated communist one, interrogational torture, including the role of doctors integral to it, has persisted. The United States recently came under criticism for torture of prisoners in Abu Ghraib prison in Iraq. Doctors were involved here too.¹⁶⁴ Detentions in Guantanamo prison continue to rely on dubious legal justifications, as well as medical professionals, to persecute, discipline, and sustain supposed terrorists.¹⁶⁵ In this regard, the history of the Brazilian doctors during the military regime may serve as an example, shedding light on the ‘vulnerability’ of medical ethics to extreme ideologies, sociological processes, and psycho-social conditions.

¹⁶⁴ See: Miles, *Oath Betrayed: America’s Torture Doctors*, 61–90.

¹⁶⁵ Jill Lepore, “A History of Torture and the Law,” *The New Yorker*, March 18, 2013.

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